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# IRELAND.

VOL. I.

*Works by the same Author.*

FOUR LECTURES on POLITICAL ECONOMY, delivered before the University of Oxford. 8vo. [1852.]

JOURNAL KEPT in TURKEY and GREECE in 1857 and 1858. Post 8vo. [1859.]

BIOGRAPHICAL SKETCHES. Post 8vo. [1863.]

ESSAYS on FICTION. Post 8vo. [1864.]

HISTORICAL and PHILOSOPHICAL ESSAYS. 2 vols. post 8vo. [1865.]

London: LONGMANS and CO.

# JOURNALS,

# CONVERSATIONS AND ESSAYS

RELATING TO

# IRELAND.

BY

NASSAU WILLIAM SENIOR.

IN TWO VOLUMES.

VOL. I.

LONDON:
LONGMANS, GREEN, AND CO.
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# ADVERTISEMENT.

THE state of Ireland was a subject of continual interest to Mr. Senior. The first of his Journals (written in 1819) contains an account of a visit to Ireland, and the last but one that he ever wrote is a record of his travels in Ireland in 1862. Throughout these 43 years he advocated mainly the same principles—in pamphlets, reviews, and finally in the Journals which are now for the first time laid before the public.

In 1861 he arranged the Papers mentioned in the Preface, with a view to their publication after his visit in 1862; but his health gave way before he had leisure to complete his design. As far as it was possible, the original plan has been adhered to in these volumes.

The lapse of time has, however, rendered some changes expedient. A 'Letter to Lord Howick,' first

published in 1831, and relating chiefly to Irish Poor Laws, with an Appendix published in 1832, have been omitted, to make way for matter of more immediate interest; a short extract, on 'National Property,' from a pamphlet published by Mr. Senior in 1835, has been added; and many parts of the Journals have been retained which could not have been published at an earlier period.

Archbishop Whately, Lord Rosse, Lord Monteagle, and Mr. Stephen Spring Rice revised the conversations in which they took part. And their representatives have greatly increased the value of the work by permitting the insertion of the names of those distinguished men.

Mr. Steuart Trench and Mr. Stephen de Vere, and other friends whose names do not appear, have also rendered valuable assistance by revising the portions of the Journals which relate to them.

To all the friends who have thus contributed to the interest of the book, the Editor desires to return grateful thanks.

*June* 16, 1868.

# PREFACE

(WRITTEN IN 1861.)

THE Papers contained in this volume were written in the years 1831,* 1832,* 1844, 1846, 1849, 1852, and 1858. They relate, therefore, to a period of nearly thirty years.

My motives for republishing those which have already appeared, and for publishing those which, till now, have remained in manuscript, are these.

In the first place, I hope that they will be useful historical documents. They show what were the prevalent opinions respecting Irish affairs—the wishes, the hopes, the fears, and the expectations, which were felt, both in England and in Ireland, at different periods, during a long and anxious portion of Irish history.

The extracts from the Journals contain facts, of

* Omitted.

which there will soon be no other record, illustrative of the state of the country at those times. They contain also information, which I believe to be of present practical value.

Though the aspect of Ireland is somewhat changed since 1852, and much since 1844, I doubt whether any great real alteration in the habits or feelings of the people has taken place. They still depend mainly on the potato. They still depend rather on the occupation of land, than on the wages of labour. They still erect for themselves the hovels in which they dwell. They are still eager to subdivide and to sublet. They are still the tools of their priests, and the priests are still ignorant of the economical laws on which the welfare of the labouring classes depends. They are still the promoters of early and improvident marriages; they still neglect to preach to their flocks the prudence, parsimony, industry, cleanliness, and other self-regarding virtues, on which health and comfort depend; they are still the enemiess of emigration; they are still the enemies of every improving landlord; they are still hostile to a Government which has seized the property of their Church—which refuses, or at least

neglects, to provide for the spiritual instruction of the great mass of the people, and everywhere, except in its workhouses and in its gaols, ignores the existence of a Roman Catholic clergy.

The combinations and the trades-unions are little less ferocious than they were in 1838. Ireland is still governed by two codes, dissimilar, and often opposed: one deriving its validity from Acts of Parliament, and maintained by the magistrate—the other laid down by the tenants, and enforced by assassination. It is important that the details of the latter code should be known. It is important that an Irish landlord should know what kind of management of his property is safe, what is hazardous, and what is certainly fatal.

Some information on these points will be found in these Journals. Nearly all the persons whose conversations I extract, were owners or managers of land. They relate their own experience. They tell us what is the conduct which an Irish tenant approves—what he will tolerate, what he will resent, and what he will punish.

In the second place, I believe that the measures which, from 1831 to 1849, I persisted in recommend-

ing, are still expedient. Some of them have been adopted. Tithes have been commuted, the absurdly excessive Episcopal Establishment has been reduced (though less perhaps than it ought to be), and the revenues of the suppressed sees have been applied in relieving the people from the vexation of Church cess. Great progress has been made in abolishing the mischievous system on which ecclesiastical property was leased. The niggardly grants by which National Education was rather kept alive than encouraged, have been enlarged, till they bear a fair proportion to those afforded to Great Britain.

Other measures, perhaps of still greater importance, have been carried into effect, which I cannot claim the merit of having proposed, or even supported.

A Poor Law has been introduced—I believe the best which any country has ever adopted.

In 1860, the last year for which we have returns, the whole money expended on the relief of the poor—including the large item of medical relief, and the nearly equally large one of the salaries and rations of the officers employed in the administration of the Poor Law—amounted to only 558,778*l.*

A Table contained in the Appendix to the Report of the Committee of the House of Commons on the Irish Poor Law, dated July 9, 1861, states that, in 1859, the average daily number of persons in receipt of relief was—

| | |
|---|---|
| In England . . . . . | 828,247 |
| In Scotland . . . . . | 120,906 |
| In Ireland . . . . . | 41,617 |

being, in proportion to the total population—

| | |
|---|---|
| In England . . . . | 1 in 23⅜ |
| In Scotland . . . . | 1 in 25⅔ |
| In Ireland . . . . | 1 in 140 |

And the same Committee, after an enquiry of nearly four months, reported that the powers of the Guardians to afford relief were sufficient, and that their exercise of those powers was such as to render any interference in their administration inexpedient.

The Encumbered Estates Court—by simplifying legal procedure, and by the bold novelty of giving a Parliamentary title—has made property, nearly thirty millions in value, which the poverty of its nominal owners, and the complication of its title, had rendered almost unsaleable, a valuable and useful subject of investment.

But these measures, beneficial as they were, would

have been powerless if the population of Ireland had continued to increase, or had even remained stationary at its amount in 1841.

The causes by which it was reduced, from 8,175,124 to 5,764,543, were foreseen by no one. The potato disease, which has now lasted, with varying intensity, for sixteen years, is an event almost unparalleled in agricultural history. That it should be followed by a famine was to be expected, but who could foresee the subsequent emigration?

That in eight years, from 1847 to 1854 inclusive, a population, not exceeding at the commencement of that period 7,000,000, should have sent out more than 1,600,000 persons (nearly one-fourth of its original numbers), to inhabit countries the nearest of which was more than 3,000 miles from its shore, was an event still stranger than the potato disease.

Stranger still is the fact, that the greater part of the expense of this emigration was supplied by previous emigrants: by men who, having—sometimes by their own exertions, but more frequently by the assistance of their landlords—obtained a new country, saved year after year, from their hardly-earned wages, sums which they sent home, to enable their

brothers, their sisters, and their parents to join them.

I say 'hardly-earned wages,' for the life of the Irish emigrant, at least in the United States—the country to which, as the most accessible, Irish emigration has been chiefly directed—is painful and hazardous. In the slave countries he is put to the works which are so unhealthy, that the life of a slave is not risked in them. In the free countries, he is put to those which an American rejects as too dangerous, or too disagreeable, or too severe.

But he is well-paid; at a comparatively small price, he is well-fed. In a few years he can accumulate a little capital, not to be spent, not to be invested, but to be sent home to bring out other members of his family. For this purpose he sacrifices enjoyment, and even comfort, and risks health and life.

It will be seen in the following pages that, earnestly as I desired a large emigration, I did not expect one; and still less hoped for good from a Poor Law.

In 1831, when I first wrote on Irish affairs, no Poor Law was known, except the unreformed Scotch Poor Law, and the unreformed English one. The

first was illusory; the second was rapidly destroying the wealth of the richest, and the morality of the most civilised country in the world.

A Poor Law affording, practically, only indoor relief had not then been tried, or even suggested. And I firmly believe, that if a Poor Law, on the English or on the Scotch system, had been introduced into Ireland in 1832—and one of those models would certainly have been adopted—the ruin which I predicted would have followed.

NASSAU WILLIAM SENIOR.

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# JOURNALS, CONVERSATIONS, &c.

RELATING TO

# IRELAND.

## ON NATIONAL PROPERTY.* (1835)

THE great object and the great difficulty in government is the preservation of individual property. All the fraud and almost all the violence which it is the business of government to prevent and repress, arise from the attempts of mankind to deprive one another of the fruits

The pamphlet (from which this is an extract) entitled, 'On National Property, and on the Prospects of the Present Administration and of their Successors,' was written by Mr. Senior, at the desire of Lord Lansdowne and of other influential persons, during the short Administration of Sir Robert Peel in January 1835. It went through four editions. To the last, which appeared in the following May (the Government having changed hands in the interval), Mr. Senior wrote a preface, strongly advocating the substitution of the Congregational for the Territorial system in the Irish Church Establishment. This measure, though admitted by Lord Lansdowne to be right, was pronounced by him to be impracticable. The preface therefore did not appear.—ED.

of their respective industry and frugality. Among savages these attempts produce robbery and theft. To these simple modes of unjust appropriation civilised nations add the less palpable forms of monopoly, combination, and privilege; abuses which, when of long standing, it is not easy to detect and expose, and which it is still more difficult to remedy, without occasioning much immediate injury to individuals. But the most revolting, and perhaps the most mischievous form of robbery, is that in which the Government itself becomes an accomplice; when the property of whole classes of individuals is swept away by legislative enactments, and men owe their ruin to that very institution which was created to ensure their safety. It is highly honourable to the honesty and sagacity of the people of England that they have guarded against this evil with almost superstitious care, and have allowed every individual to oppose his own interests to those of the public to the utmost extent to which, with any resemblance to decency, they can be urged. It may be a question, indeed, whether they have not often gone beyond this point, and allowed pleas of well-founded expectations, or (as they are usually termed) vested interests, to impede the general good to an unnecessary, and, therefore, a mischievous degree. But with all our anxiety—and it is a very proper anxiety—to hold the balance even between individuals and the public, or to lean rather towards the weaker party, there are two landmarks which we have never transgressed: the individual interests — which, whether in possession or in expectation, we have con-

sidered as property, even when inconsistent with the public welfare, and either left untouched or bought up at an ample price—have been, in the first place, lawful; and, secondly, capable of valuation.

No interest, however definite and vested, can be respected if it be unlawful. No voice has ever been lifted up in defence of the vested interests of paupers in Poor-law abuses, or of vestrymen and overseers in parochial jobbing. So far, indeed, has this been carried, that a profit, based on an illegal act, is not held entitled to mere ordinary protection against an equally unlawful aggression. The printer who pirated Lord Byron's 'Cain' was allowed to plead his own wrong in his own defence; to maintain, and to maintain successfully, that 'Cain,' being an unlawful publication, was not property, and therefore could not be the subject of plunder.

Nor can any interest, however lawful, be considered property as against the public, unless it be capable of valuation. And for this reason:—if incapable of valuation it must be incapable of compensation, and therefore, if inviolable, would be an insurmountable barrier to any improvement inconsistent with its existence. If a house is to be pulled down, and its site employed for public purposes, the owner receives a full compensation for every advantage connected with it which can be estimated. But he obtains no *pretium affectionis*. He is not paid a larger indemnity because it was the seat of his ancestors, or endeared to him by any peculiar associations. His claim on any such grounds for compensation is rejected, because, as the

subject-matter is incapable of valuation, to allow it would open a door to an indefinite amount of fraud and extortion: nor is he allowed to refuse the bargain offered to him by the public, because such a refusal would be inconsistent with the general interest of the community. The mere hope of public employment, founded on no contract, express or implied, affords another instance of a lawful expectation, too vague to admit of compensation. If such a claim had been allowed, no incumbrance on the public revenue could ever have been removed, or even diminished. The army could not have been reduced, because many who hoped for commissions must have been disappointed. All improvement must have been stopped if it had been admitted that such expectations are property.

Of course we do not mean to affirm that every lawful interest which is susceptible of valuation is property, and therefore entitled to be either compensated or left undisturbed. In legislation we are constantly forced to choose between motives acting in opposite directions, and to purchase general advantage at the expense of particular inconvenience. It is an evil that any fair expectation should be disappointed. But there are cases in which the public welfare requires this evil to be submitted to. The goodwill of a shop is a lawful interest, and, as it is a frequent subject of sale, is obviously capable of valuation. But the public recognises it as property only under peculiar circumstances. It is not protected in any degree against competition. No one is prevented from injuring or even absolutely destroying it by establishing a rival shop at the

next door. Even the injury which it may receive from legislative acts, is left uncompensated if the shop itself is allowed to exist. The shopkeepers and landlords of Bond Street were not compensated for the loss occasioned to them by the erection of Regent Street, though the opening of that street was a public measure. It was felt that the admission of a claim for compensation for the injury arising from competition would produce greater evils than those which, from time to time, arise from the destruction of the fair expectation of a profitable local trade. If, however, the public interest requires a shop to be removed, the tenant receives the value of its goodwill, though that goodwill was previously at the mercy of any of his rivals in trade. The number of occasions on which such a claim can be made is not so great as to be a serious obstacle to public improvements; and the objection to its admission is therefore at an end. The hope of eventually succeeding to an estate, the present possessor of which is seised in fee, or, in other words, has the absolute property, is an instance of a lawful interest capable of estimation, and even of alienation, but utterly unprotected. It is left exposed to the extravagance or caprice of the tenant in fee simple. It has recently, and in many thousand instances, been taken away by the Legislature, and without compensation. Until January 1, 1834, no person could inherit the freehold property of his lineal descendants. On the death of a person possessed of such property, intestate, and without issue, leaving a father or mother, or more remote lineal ancestor, it went over to his collateral

relatives. In 1833, this law was totally altered. In such cases the property now goes to the father or mother, or remoter lineal ancestor, in preference to the collaterals. In many instances this must defeat expectations, not merely well-founded, but approaching to certainties. The brothers, uncles, nephews, and cousins of lunatics, or of minors in such a state of health as to be very unlikely to reach the age at which they would be capable of making a will, had, until the 3rd and 4th Will. IV., cap. 106, was passed, prospects of succession so definite, that in many cases they would have sold for considerable prices. All these interests, though lawful and capable of valuation, have been swept away without compensation. And it was necessary that this should be done: the old law was obviously inconvenient, and to have attempted to compensate all those who, if the principle of compensation had been admitted, must have been held entitled to it, would have involved such an expense as to have rendered the alteration of the law impracticable. We affirm, not that every lawful interest which is capable of valuation is inviolable, but that no interest can be held inviolable as against the public unless it be capable of valuation.

All property, so far as it has no lawful individual proprietor, must belong to the nation collectively, or, in other words, to the State. This is the case with respect to the fee simple of all that property which is held in mortmain. The estates of Bishops and Chapters, of the Universities, and their Colleges and Halls, and, generally speaking, of all Corporations, have no owners beyond the life-interests of

the existing Bishops and members of Chapters and Corporations. Those life-interests the State is bound to protect; to affect them without the consent of their owners, would be, as we have already stated, spoliation in one of its most odious forms. But, subject to those life-interests, the State is not only justified, but absolutely bound, to employ the property in the way most conducive to the public interest. In many, indeed in the vast majority of cases, the existing application, or at least an application of the same in kind, is on the whole the best that can be adopted. Few measures could be more mischievous than a diversion of the revenues of the Universities from the purposes of education. Some modifications, indeed, of the statutes of the different Colleges are necessary to enable them to perform still better their important offices; but no one who is aware of the extent of their present usefulness, would think for an instant of making a total change in their destination. The same may be said of the Episcopalian and Chapter property in England, and of the benefices, the advowsons of which do not belong to individuals, and which are therefore public property. A better distribution might perhaps be made of their revenues, but there is no mode in which they could be more beneficially employed, than as an ecclesiastical endowment. With many persons, long habit has blunted the sense of the advantages which are produced by an endowed Church; and there are others who, though aware of the extent of those advantages, or rather, perhaps, in consequence of their knowledge of the benefits conferred by an

endowment, are so anxious to increase those benefits, and to make the endowments of the Church as useful as possible, that their attention is more earnestly fixed on the faults and deficiencies of our existing system, than on its far more important merits. But all whose minds are not blinded by party or sectarian spirit must admit that an endowed Church is among the most valuable parts of our political inheritance.

But while, on the one hand, we deny the expediency of diverting the estates of the Universities from educational, and those of the sees and chapters and benefices in question from ecclesiastical purposes; while we affirm that such a diversion would be short sighted and barbarous folly;—on the other hand, we equally deny that, supposing the existing life-interests to be untouched, and that the diversion could be proved to be expedient, it would be an *injustice*. In other words, if the expediency can be proved, we affirm the right.

And not only must the expediency, on which alone the right is founded, be clearly proved, but it must be an expediency with reference to the nation as a permanent body. A violation of this last rule appears to be the only mode in which a nation can commit an injustice, although no assignable individual has a right to consider himself as unjustly treated. A nation, though it may act with the utmost imprudence or folly, cannot be said to be unjust to the whole of its existing members, any more than a man, however absurd, can be said to be unjust to himself. But if the existing members of the nation sacrifice the

welfare of their successors to their own immediate interest, they may be said to be unjust to their successors; just as a man who wastes his inheritance, or sells it, and lays out the price in an annuity on his own life, is said to be unjust to his children. And this is a species of injustice to which every country is most mischievously tempted. It is as dangerous for a nation as it is for an individual, to have the power of promoting its own apparent immediate interests at the expense of those who are not yet in existence, with whom therefore it cannot sympathise, and who have no assigned protectors. Few countries, therefore, have been able to withstand the temptation. Almost every Government has, to a certain extent, sacrificed posterity, wherever an immediate gain has appeared attainable. One of the most striking instances was the funding system adopted in this country during the revolutionary war. We do not mean to affirm that it was inconsistent with the permanent welfare of the State, and therefore, in our sense of the word, unjust, to raise by loans a portion of the expense of that war. But the mode in which the greater part of those loans was raised produced a slight immediate advantage, at the expense of a great and permanent evil. They were principally raised by the creation of a three per cent. stock, at a time when the real interest of money was from five to seven per cent. For every 70*l.* or 60*l.*, or sometimes even for a smaller sum really paid to the Exchequer, the nation acknowledged a debt of 100*l.* A slight abatement of interest was thus obtained. If the nation had acknowledged itself a debtor for only the sum

really borrowed, it would have had to pay, during the war, a rather larger interest—in some cases five per cent., instead of four-and-a-half; in others, perhaps, six per cent., instead of five-and-a-half, or perhaps even more. But, at the termination of the war, the national debt, instead of amounting to between seven and eight hundred millions, the greater part of it bearing an interest of only three per cent., but redeemable only by the payment of the nominal principal sum, would not have exceeded four or five hundred millions, bearing, indeed, a higher rate of interest—some part of it six, or perhaps even seven per cent.—but redeemable at the expense of four or five hundred millions. The interest of the whole might have been reduced, and a portion of the principal paid off, without any injustice to the public creditor, who would have received every shilling that he bargained for; and at this instant we should probably be subject to not more than one half of the debt, which interferes with our internal prosperity and external force, and endangers, more than any other single cause, the stability of our institutions.

Now, even supposing that it could be shown that it would be expedient, as far as the present generation is concerned, to dispose of the fee simple in reversion of all the national property, and apply the produce for purposes of temporary utility, it is certain that such a conduct would not be expedient as respects our posterity. The revenue derived from property held in mortmain is a revenue, and it is the only revenue so circumstanced, which, though it is received by the country, or by those

who are trustees for the country, no individual can be said to pay. No assignable individual is poorer because the beautiful valley in which Dulwich College is situated belongs to a corporation. The revenue arising from that splendid property is, without doubt, employed less beneficially than it might be; but in all probability more beneficially, and most certainly not less so, than if Allen, instead of founding a college, had founded a family. Of this revenue the existing generation is only tenant for life. It is our right and our duty to manage and apply the income, but to preserve the inheritance. The inheritance belongs to our successors.

If, by Act of Parliament, the property of Dulwich College were sold, subject to the existing life-interests, and the produce applied in aid of the supplies of the year, the present generation, indeed, would not be injured; but our posterity would be deprived of a revenue, of which we, at present, make little public use, but which they may apply to the noblest purposes of improvement.

A general conviction of the mischief that would arise from the dissipation, for purposes of immediate utility, of the fee simple of mortmain property, and of the temptation to which a government is exposed, particularly in unsettled times, to give present relief, and obtain, or confirm, present power and temporary popularity, by perpetrating this mischief, has induced persons who were not aware of the real grounds on which it ought to be opposed, to support their opposition by all sorts of fallacious arguments. They confound the right, which clearly does exist,

to deal with the income, with the right, which does not exist, to waste the fee simple; and by endeavouring to prove what is false, have failed in establishing what is true.

Of those who are guilty of this error, some deny the right of the State to deal with the income of property held in mortmain, on the ground that what they call the Church, as distinct from the existing clergymen, is the owner of what they call Church property; that the Episcopal lands belong to the Bench of Bishops, not for the lives of the existing Bishops, but for ever; and that to declare that no Bishop shall in future be appointed, and that the revenues of the sees, as they become vacant, shall be applied to the support of hospitals, would be an act of spoliation, even although it could be demonstrated that such an application would be more useful, not only at present, but permanently, than the present one.

The answer to these reasoners is, that to every spoliation there must be two parties, the spoiler and the person despoiled. Now who, under these circumstances, would be the persons despoiled? Our posterity?—No: for the argument assumes that they would be benefited. The existing Bishops?—No: for they are untouched. The persons who now have the power to appoint Bishops?—Their consent must, of course, be obtained. If the Bishopric of Sodor and Man had still belonged to the Athol family, their right to appoint a Bishop could not have been suppressed without compensation. But in the present case, the persons who have the right to appoint

Bishops are the Government, and their consent is presupposed. The persons who might hope to be made Bishops?—They have no vested interest susceptible of valuation, and therefore, on the grounds already laid down, cannot be heard. They have no more right to protest against the suppression of Bishoprics than subalterns have to oppose a reduction of the number of field-officers. Bishoprics no more belong to the Church, as an imaginary entity, distinct from the existing churchmen, than pay and allowances belong to the army, as an equally imaginary entity, distinct from the existing soldiers.

Others, again, contend that this property, having been originally given to ecclesiastical purposes, cannot be diverted from them without improperly violating the wills of those deceased persons who so dedicated it.

In Scotland, where a right of perpetual entail is admitted, this argument might have some plausibility. In England and Ireland, where the law 'abhors perpetuities,' it is almost too absurd for refutation. Our ancestors have had their full swing of posthumous power. Their wills have been obeyed for centuries; in some cases, without doubt, most beneficially—in others, more or less mischievously. And will any one, out of a sentimental regard to their memory, maintain that we have not now the right, or that, having that right, we are not now bound to enquire, how far this obedience is now beneficial, how far it is mischievous? or that we have not now the right, or that, having that right, it is not our duty, to make such changes as may augment the benefit and remove the mischief?

If this argument were successful, the land would indeed belong, not to the living, but to the dead. Every successive generation would find itself more and more confined by testamentary enactments, in many instances the result of vanity, caprice, or ignorance; in others, framed to meet the wants of an obsolete state of society, but in all cases immutable as the laws of the Medes and Persians. One testator might direct his estates to lie fallow for 10,000 years; another, that they should be cropped alternately in thistles one century, and in nettles the next; and a third might order (as indeed has been done), that the successive life-owners should for ever be chosen by lot.

It cannot be necessary formally to prove that the right of a person, who is in possession of a piece of land, to direct what shall be done with it after his decease, does not belong to that class of rights which have been called natural, but is altogether the creation of law. In some nations, as was the case throughout Europe at the commencement of the feudal system, no such right exists. In others, such as France, it exists, but within very narrow limits. The Scotch law denies testamentary power, unless by means of an evasion, but allows a power of perpetual entail by deed. The English law upon the subject is full of inconsistencies. It allows property to be settled on individuals, either by deed or will, for the lives of persons in being at the execution of the deed, or at the death of the testator, and for twenty-one years afterwards, being an average of rather less than seventy years, but no longer. It absolutely prohibits devises in mortmain, and subjects

conveyances in mortmain to restrictions intended, and very skilfully framed, for the express purpose of diminishing their frequency; and, by a strange anomaly, it ordains that those mortmain appropriations, which it allows still to be made, and those devices which were made before the prohibition was enacted, and which belong therefore to a class which it has expressly stated to be mischievous, shall exist for ever, unaltered in their objects and their machinery. But all laws are, of course, intended for the advantage, not of past, but of present and future generations. The wills and conveyances of the dead, are, to a certain extent, to be respected, not because our obedience or neglect will benefit or injure those whom the grave has rendered unsusceptible of either; but partly because a testamentary power is an inducement to industry and frugality; and partly because it is supposed, at least in this country, that property is likely to be more beneficially distributed by a testator, than by the general rules of an Act of Parliament.

The former ground has nothing to do with the present question. Industry and frugality would not be sensibly diminished if all power to become the founder of a corporation were taken away. The latter ground becomes obviously less applicable as the period of posthumous power is extended. A testator may be the best person to decide how his former property shall be enjoyed for twenty, or forty, or even seventy years after his decease; but we can scarcely conceive his prescience to extend beyond a century. We can scarcely conceive that we, who are now

living, are not better judges what application of the revenues of a given estate will be best suited to the wants of the present generation, than the person who happened to possess that estate 500 years ago. The only plausible ground for giving to a person, who gives or devises his estate to a corporation, power to direct the specific application of its revenues for a longer period than when he settles it on individuals, is to promote settlements in mortmain. It is said, that if we interfere with such settlements at any period, however remote from the decease of the testator, they will cease to be made. But why then is the Mortmain Act left unrepealed? The preamble of that Act is in the following words:—'Whereas alienations of lands, tenements, and hereditaments in mortmain are prohibited or restrained by Magna Charta, and divers other wholesome laws, as prejudicial to and against the common utility; nevertheless this public mischief has of late greatly increased.' For remedy of which it absolutely prohibits devises in mortmain, and subjects settlements in mortmain to very strict regulations, all intended, and most of them successful, in destroying the practice. A greater absurdity cannot be imagined than to submit to inconvenience in order to encourage dispositions in mortmain, and at the same time to prohibit or impede them by statute.

In the case to which we have just alluded, the existing individual interests are lawful. A bishop has precisely the same right to the revenues of his see which a landlord has to those of his estate. But there are cases in which the existing individual interests are unlawful—in which

the advantages derived by the owners for the time being are a breach or an evasion of the law.

This is the case with respect to those corporations, the members of which, though mere trustees for the public, yet, in violation of their duty, turn their offices to their private advantage. Property so abused belongs to the State, not merely in reversion, subject to the existing life-interests, but in possession. The existing owners are wrongdoers, and the injustice would consist not in arresting but in permitting their unlawful gains.

## IRELAND IN 1843.

[EDINBURGH REVIEW, January 1844.]

FOR many years past Ireland has been the most painful subject on which a liberal writer could employ himself. It was not merely that he had to describe great misery and great danger: not merely that he had to dwell on a state of society in which all the means of good seem turned to evil;—in which a fertile soil and a temperate climate have produced a population in want of all the decencies, and of most of what are elsewhere thought the necessaries, of life;—in which a free Constitution is perverted into an instrument of legal oppression by one class, and of organised sedition by another; and in which religion itself is the source of cruelty, hatred, and crime.—It was not merely this state of things that made Irish questions repulsive. It was the feeling that there were means by which the existing misery might be relieved, and the approaching dangers averted; but that the prejudices and passions of England and of Scotland rendered it useless to suggest, because they rendered it impossible to apply them. Everyone who calmly and impartially considered our situation, saw that we were advancing every year nearer and nearer to civil war, foreign war, and revolution;—saw

that it depended merely on ourselves whether these calamities should fall on our own heads, or on those of our children, or be altogether prevented; and saw that thoughtlessness, pride, or bigotry rendered the bulk of the British people blind to their danger, and the remainder ready to incur it;—kept the former ignorant of the resentment which they were provoking, and made the latter obstinate rather to endanger the welfare of the whole Empire, than to make the smallest sacrifice of their own party attachments and sectarian animosities. When Irish questions, or rather the *Irish Question* (for there is but one), has been forced on our attention, we have felt, like a dreamer in a nightmare, oppressed by the consciousness that some great evil was rapidly advancing—that mere exertion on our part would avert it, but that we had not the power to will that exertion.

The last nine months have been a period of great anxiety and great evil. The improvement of Ireland has been arrested, all the bad passions and mischievous prejudices of her people have been inflamed and strengthened, and it has often appeared that any unforeseen incident, any trifle not provided for, might light up a civil war throughout the island. But we believe that one effect has been produced, which, if it *really has* been produced, we accept as cheaply purchased, even at the price which has been paid for it.

We believe that the majority of the people of England and Scotland are beginning to perceive the outline of the rocks that lie across their course, and to enquire into the

means of altering it. They see the bulk of the people of Ireland united in blind subservience to a single leader,* and they believe that leader to be utterly unscrupulous. They see that he has proposed to his followers an aim unattainable without civil war, and which, if attained, would destroy the security of one island, and the property, the education, and the civilisation of the other. They know that, if he were to propose to the millions of his adherents merely to hold as proprietors the lands which they occupy as tenants, the Irish revolution would be accomplished. As Majendie said of cholera, it would be a disease beginning by death; it would be a revolution beginning by that general confiscation in which other revolutions have ended. They see that he has ventured to promise, as the result of Repeal, 'fixity of tenure'—words which, if they have a meaning (and assuredly they are not used without one), must mean legal confiscation; and they begin to calculate how soon he is likely to urge his adherents to seize, without Repeal, the object for which Repeal is demanded.

Some persons believe that this will occur a year hence, some three years, and some expect it within six months; but if the Imperial Government permit the real grievances of Ireland to remain unredressed, while the imaginary ones are inflated and coloured, until they stimulate an ignorant and passionate people as forcibly as if they were real—if no means are used to detach from the anarchical party those whom just resentment, or error, or intimidation has

* O'Connell.—Ed.

added, or is adding to it;—all calm spectators of events must admit that, within a period longer, perhaps, than the shortest of those that we have mentioned, but shorter than the longest, though the rights of the Landlord, the Church, or the Government may still be recognised at law, yet throughout Leinster, Munster, and Connaught, they will be suspended in practice; and be recoverable only at the expense of a war, which would certainly destroy the prosperity of the British Empire, perhaps its institutions, and possibly even its independence. It is to those who are determined to preserve the integrity, the institutions, and the public faith of the United Kingdom—to those who are determined to avert national degradation and national bankruptcy—and to those who, though careless of the public, wish to save themselves or their families from ruin, that we address the following pages.

They contain an outline of the principal social evils to which Ireland is subject; and of the most important of the measures which we believe to be necessary, for removing the portion of evil which is capable of immediate or early remedy, and of palliating what admits only of gradual cure. On subjects which have been so long and so frequently before the public, it is scarcely possible that there can be much that is entirely new, either of truth or error. But the events of the last few months, and particularly the effects of the substitution of a Tory for a Whig Government, though not unexpected, are confirmations or illustrations of much that was once conjecture. And we trust that we are not too sanguine when we add

that, in the altered state of public opinion, much that, a year ago, was hopeless speculation—was a mere vision of what a wise and benevolent Government, armed with absolute power, might effect—may now be urged as positive and practical recommendation.

We feel the responsibility which we incur by suggesting, or by promoting measures, of which the effect, whether for good or evil, must be great and permanent. But from this responsibility we see no escape. We certainly should not shake it off if, at one of the most critical periods of our national existence—when error may be fatal, and inaction may be error—we were to allow this journal to remain silent. And we beg the reader to recollect that he also is responsible, if on any ground, excepting their inexpediency or utter impracticability, he refuses his assent to our propositions, or his co-operation in their execution.

It may, however, be necessary to inform a portion of our readers, that under the general term 'Ireland,' are included two countries, very different in their social conditions—namely, the province of Ulster, or, as it is usually called, the 'North of Ireland;' and the provinces of Leinster, Munster, and Connaught, which together constitute what is usually called the 'South of Ireland.' There are indeed, as might be expected, many districts in the North of Ireland which partake of the general character of the South, and there are a few in the South which resemble that of the North; but, subject to these exceptions, the state of the population in the North and in the South is not merely dissimilar, but opposed. In the following pages we shall devote our attention almost exclusively to the

South; and when we use the word 'Ireland' without further explanation, we must thus be understood as speaking of Leinster, Munster, and Connaught. It may be necessary also to state, that we use the nomenclature which is usual in Ireland, though incorrect, and call the Roman Catholics simply 'Catholics,' and the Protestant Episcopalians simply 'Protestants.'

The evils which affect Ireland may, like all other causes of national misery or happiness, be divided into two classes—those which are *Material*, or (to use a more common but less correct expression) *Physical*, and those which are *Moral*. The Material evils are the want of Capital, and the want of small Proprietors; the Moral evils are Insecurity, Ignorance, and Indolence. The concurrence of the two circumstances which we have called Material evils, assisted by unfavourable accidents, produced the Moral evils, and these in their turn have aggravated the Material ones; and the result has been a population more unhappy in itself, and the cause of more unhappiness to all who have to deal with it, than any other civilised and free community in existence.

We will first consider what we have called Material evils —the want of Capital and of small Proprietors. Neither of these deficiencies, occurring alone, is inconsistent with the substantial welfare of a community. A people, indeed, ill-provided with capital cannot enjoy much division of labour. Its labour, therefore, cannot be productive, its manufactures must be few and rude; the bulk of its members must be agricultural, and the produce of its fields—

unless assisted by a soil and climate which do not belong to Europe, though it may be great compared with the extent of land in cultivation—generally bears a small proportion to the number of persons employed on it. Such a people may consist almost exclusively of small proprietors—as is the case in some portions of France and of the United States; or it may consist almost exclusively of great proprietors and of their dependents—as is the case in many parts of Russia and Spain; but it scarcely can possess a middle class, for a middle class is the creature of capital. But though without a middle class, and without the diffusion of moral and intellectual cultivation which a middle class produces, such a population, if it consist of proprietors, may be happy. If it have a good government—that is to say, a government under which person and property are secure, and education is promoted—it will have intelligence and self-respect. It will so regulate its numbers, as not to subdivide its holdings into portions minuter than those which will maintain a family in the comfort which the habits of the people require. Each family, secure of its estate, will improve it with the industry, and endeavour to add to it by the frugality, which the feeling of property inspires. In time it will acquire capital, and with capital will come towns, manufactures, large estates—an aristocracy, a middle class, a labouring class, and the complicated social relations which belong to a rich civilised community.

On the other hand, in a country possessing abundant capital, the absence of small proprietors of land, though

attended by considerable political inconvenience and danger—inconvenience and danger, perhaps, outweighing its economical advantages—is not inconsistent with general comfort and prosperity; and perhaps is a condition necessary to the greatest productiveness of labour, and to the greatest accumulation of wealth. In such a country, if the territory be considerable, a great, perhaps the greater portion of the existing capital is employed on the land, and the remainder in manufactures and commerce. The land is occupied in the divisions, and in the manner most conducive, not to the largest possible amount of produce, but to the largest in proportion to the labour employed on it. Agriculture becomes a business requiring considerable capital, both fixed and circulating; and as the landlord is unwilling to devote himself to the unremitted superintendence and constant bargaining which are required from a practical farmer, and the farmer will not sink his capital in the permanent improvement of another man's land, it becomes usual that almost all the buildings, drainage, and planting, and, in fact, the greater part of the fixed capital, should be supplied by the landlord, and only the circulating and perishable capital by the tenant.

The ownership of land becomes, in a great measure, the luxury of the rich—of those who can afford to possess a property requiring great occasional outlay, and therefore, unless when held in large masses, giving an uncertain revenue. The occupancy of land falls into the hands of a class more numerous and less opulent than its owners, but who still, when compared with the bulk of the community, are few

and wealthy. In England and Scotland, a farm of 250 acres, even of rich land, is not considered large: yet such a farm can seldom be well farmed by a tenant whose capital is much less than 2,000*l.*; and it will generally be found that a much larger capital has been expended on it by the owner, in buildings and other works, which must from time to time be renewed by him. The landlord and tenant are partners; they have common feelings and common interests. The tenant is anxious to induce the landlord to add to the fixed capital, in order that his own circulating capital may be more productive; the landlord is anxious to see the tenant's circulating capital increase, as it is the instrument by which his own fixed capital is made serviceable. The great body of the rural population are in the state which, in poor countries, is one of want almost approaching to destitution. They are labourers dependent on daily or weekly wages, with scarcely any property except their clothes and furniture, and perhaps a pig, or a small deposit in a savings-bank; and without any land, except perhaps a small garden or allotment to cultivate in spare moments. Such a labouring population, however, if well-educated, and undepraved by the follies or the frauds of ill-administered Poor-laws, may, in a rich country, attain a degree of comfort superior to that of the small proprietors of a poor country. The agricultural labourers of the best parts of England are better clothed, better fed, better lodged, and better warmed, than the small proprietors of France, or even of Switzerland.

They form, however, only a small minority of the whole

population of such a country. In the advanced state of agriculture, in which the labour of one family can raise the raw produce required by three or four, those who are not wanted in the country naturally collect in the towns, and devote themselves to manufactures and commerce. The productiveness of the labour of women and children in such occupations generally enables the workpeople in towns to obtain, per head, a much larger income than can be obtained by an agricultural family; and this opens to them, if prudent and frugal, an indefinite prospect of advancement. Some of the richest families in Britain were, two generations or one generation ago, mere workpeople, on daily or weekly wages.

Though the difference between the extremes is vast, the gradations of wealth are insensible. Who can say where the middle class in Great Britain begins or ends? Every separate employment has within itself a higher, a lower, and an intermediate order. Every individual is striving to reach the step that for the time is immediately above him, and the whole community is in a state of ferment and struggle incompatible with content, and possibly unfavourable to happiness, but eminently productive of wealth, power, and intelligence.

But where there is little capital, and there are few small proprietors, society is divided into the very rich and the very poor, with scarcely any intermediate class. The land is cut into small holdings, because it is only in small holdings that a tenant without capital can cultivate it. And this very subdivision renders the landlord often

unable, and almost always unwilling, to employ on it capital of his own. The productiveness of his estate might be doubled by an extensive drainage, but the consent, perhaps the co-operation, of the tenants is necessary; and a poor, ignorant, and suspicious population believe either that what is beneficial to their landlord must be mischievous to themselves, or, at least, that, if their consent is to be asked, it must be paid for. Their health and efficiency might be improved by improving their residences; but he finds them ready to inhabit the hovels which they can raise with their own hands, and doubts whether, if he were to build for them, he would be repaid. The land which a family with little capital can cultivate does not, except during a small part of the year, afford profitable employment for their whole time. If it were their own indeed, they might, and probably would, keep constantly at work on it, and so gradually improve it; but they have no motive to treat thus another man's land. As the supply of labour, except during the short busy seasons, is great, and the demand almost nothing—in other words, as almost everybody is willing to be hired, and scarcely anybody willing or able to hire—the wages of labour are very low, and employment, at any wages at all, is scarce and precarious. The whole rural population, therefore—and, where there is little capital, this is nearly the whole population—is thrown for support on the occupation of land.

It is absurd to complain that, under such circumstances, rents are excessive—that everything beyond a miserable subsistence is extorted from the tenant. The price of the use

of land, like the price of every other commodity of limited supply, is fixed not by the seller, but by the purchaser. In England and Scotland the competition of the bidders for farms is limited by the amount of capital and skill required, and is further limited by the general rate of profit. No one will knowingly offer a rent which does not allow him an average return for his capital. And as to the labourers, to them a bit of land is a luxury, like the possession of a small estate to a shopkeeper. If it comes in their way, they take it; but they will make no sacrifices to obtain it, and never look to it as a means of subsistence.

But, in a country in which everyone who can find a landlord to accept him can be a farmer, and scarcely any one can be a labourer; where the three only alternatives are,—the occupation of land, beggary, or famine—where there is nothing to repress competition, and everything to inflame it—the treaty between landlord and tenant is not a calm bargain, in which the tenant, having offered what he thinks the land worth to him, cares little whether his offer be accepted: it is a struggle like the struggle to buy bread in a besieged town, or to buy water in an African caravan. It is a struggle in which the landlord is tempted by an extravagant rent; the agent, by fees or by bribes; the person in possession, by a premium to take him to another country; and rivals are scared away by threats, or punished by torture, mutilation, or murder. The successful competitor, knows that he has engaged to pay a rent, which will swallow the surplus beyond the poorest maintenance for his family that, with his trifling

stock, he can force the land to produce. He knows that if he fails to pay he must expect ejectment, and that ejectment is beggary. He calculates how small a portion of his tenement, devoted to the most abundant variety of the most abundant species of food, will feed his family. He grows on that portion, in our climates, lumper potatoes, and cultivates on the remainder something better—not to consume, but to sell, in order to meet his rent. If, as is frequently the case, he has not been able to obtain land more than enough to supply his family with potatoes, he works out his rent by hiring himself to his landlord. Though his labour is rated at an almost nominal sum, it is generally dear to the landlord even at that price—partly because it is reluctant and inefficient, and partly because the landlord has little use for it, though he accepts it as the only substitute for his rent. If the potatoes of an individual fail, he sends out his wife and children to beg; if those of a district fail, there is a famine.

It must, we think, be admitted, that we have now described the state of the greater part of the South of Ireland; and, consequently, that we have made out our first proposition—that the Material evils of that country are owing to the want of Capital, and the want of small Proprietors.

When a country has fallen into this state, there seem to be three means, and only three, by which it can be extricated. First, a revolution, subversive not merely of its government and of its institutions, but of almost all its social relations—a revolution which should destroy or

banish its aristocracy, confiscate their property, and convert the occupiers into proprietors; or, secondly, the generation of capital, by the industry and frugality of individuals; or, thirdly, the introduction of capital from abroad.

The first involves the certainty of the destruction of the happiness and morals of the existing generation. It involves the risk of a succession of revolutions, terminating in anarchy, despotism, or subjugation—probably partition by foreign powers.

The second might require centuries. There are no classes that accumulate capital so slowly as small occupiers and landlords. The first want the power, the second the motive.

The third—the introduction of capital from abroad—if it could be adopted, would effect all that the optimist could desire. It would be a remedy operating *tutò, citò, et jucundè*. But it is a remedy to which scarcely any country has ever been able to have recourse. No great country, indeed, forming a separate community, with a government and institutions of its own, could resort to it. A sufficient number of capitalists willing to trust their property to foreign laws and foreign management could not be found.

But if the community in question were a member of a large empire, of which the other portions were overflowing with capital, seeking employment; if it possessed rivers and harbours for commerce, and mineral wealth and water-power for manufactures; if, with an abundant supply of

labour, and a fertile soil, its lands were only half-cultivated, —it seems, at first sight, probable (we had almost said certain) that its Material evils would rapidly find a remedy in the natural course of events.

This, again, applies to Ireland. When her Material condition alone is considered, she appears to afford a field in which the surplus capital of England and Scotland might set to work her own surplus population. The supply of labour, in proportion to the demand, is so much greater in Ireland than in England or Scotland, that after allowing for the inferiority, for a time at least, of Irish labour, a considerable profit might be obtained by the establishment of manufactures. The land affords equal opportunities for profitable investment, The evidence collected, in 1836 and 1837, by the Poor-law Commissioners, shows that at that time the land of Ireland, though four times as much labour as in England was expended on it, yet gave per acre only half what would have been the English produce. And when we recollect that the Irish husbandry is of the kind most favourable to a large gross produce; and, further, that the agriculture of England is still lamentably imperfect—far inferior to the ordinary agriculture of the Scotch Lowlands, which itself is far inferior to the best that is now practised, and still more to what may be expected—it must follow that the land of Ireland does not return a fourth, perhaps not an eighth, of what might be obtained from it by fair industry and competent skill.

And yet these elements of wealth are left to waste·

When British capitalists—*omnibus modis trahunt, vexant pecuniam, nequeunt tamen vincere*—send it to Spain, to Greece, to Turkey, to South America, and to the United States, at the mercy of barbarous, unsettled, or fraudulent governments, and of laws intended for the protection rather of the debtor than of the creditor; Ireland, under the same government and laws as England, and within a day's post of London, has received, during the last twenty years, a less amount of British capital than that which has crossed the Atlantic. It is obvious that some deep-seated obstacle must intervene. It is obvious that there is something in the institutions of Ireland, or in the habits of her people, which deters British capital from one of its most natural, and apparently one of its most productive employments. It is obvious, in short, that it must be the Moral evils of Ireland which exclude the remedies for her Material evils. And to these Moral evils, therefore, we now address ourselves.

We have already said that they are—Insecurity, Ignorance, and Indolence. The INSECURITY of person and of property in Ireland arises from the tendency to violence and resistance to law which is the most prominent, as well as the most mischievous, part of the Irish character. It is the quality which most distinguishes Ireland from Great Britain. In England and Scotland the great majority of the population are loyal, in the primitive sense of that abused word—that is, they are the friends of the law. They may wish portions of it to be altered; but so far are they from resisting it, that they unite to prevent

it from being resisted by others. Opposition to the civil law is almost unheard of. The decisions of the courts in all questions between man and man are so silently submitted to, that few persons are aware of the machinery by which they are enforced. It is by means of the law that the misconduct of those who administer the law is corrected. If an officer of justice is supposed to have exceeded his powers, the person who thinks himself injured applies to the courts of law for damages and redress. A breach of the criminal law arms the whole society against the offender. Prosecutors and witnesses come forward; juries are ready to convict; and the judge is so frequently required to restrain them, that he has been called the 'prisoner's counsel.'

This is accounted for, when we recollect that in England and Scotland the law interferes in favour of the poor far more frequently than in favour of the rich. Where the bulk of the population live on wages, the poor are the creditors, and the rich and the middle classes the debtors. All that the working-man in general knows of the civil courts is, that they are places to which, if he is wronged, he may summon his employer. He never fears their being used against him, for he knows by experience that the higher and the middle classes would think it waste of time and of money to bring an action against a man without property. It is true that, in the criminal courts, the culprit is generally a poor man, but so is generally the prosecutor. It is the person of the workman that is most exposed to assault; it is his property that is most exposed

to depredation. Offences against the combination laws, the game laws, and the revenue laws, are exceptions; for there the prosecutor is the crown, the landlord, or the employer —but there, on the other hand, public sympathy is with the offender.

In Ireland, on the contrary, the poor are the debtors, and the rich the creditors. The 1,000,000 families who now occupy the soil of Leinster, Munster, and Connaught, scarcely know the existence of the civil law-courts, except as the sources of processes, distresses, and ejectments. There are many parts of Ireland in which a *driver* and a *process-server*—the former a man whose profession it is to seize the cattle of the tenant whose rent is in arrear, the latter an agent for the purpose of ejecting him—form regular parts of the landlord's establishment. There are some in which the driver, whether employed or not, receives an annual payment from every tenant. On many estates every tenant is served every year with a notice to quit, for the mere purpose of keeping him at the landlord's mercy; and on still more, the abatements from rent, which every landlord must occasionally make, instead of being absolutely remitted, are kept in legal force, to be used when any motive, pecuniary, political, or personal, may induce the landlord to exact them. We have now before us (in Supplement XI. to the Appendix to the Third Report on the Poor-law Inquiry) a return of the ejectments actually tried in thirteen out of the twenty-three counties constituting the South of Ireland, during the seven years ending in 1833; and they amount to 10,336. The mere

names of the causes form a folio of 213 closely-printed pages.

It is impossible that a law of which these were the effects could be popular, even if its objects were just, and its execution were impartial. It is scarcely necessary to remind the reader how far these suppositions are from the truth. During many generations—a period sufficient to form the character of a nation—the principal object of the civil law of Ireland was, not to render justice between man and man, but to seduce or to force the great majority of its inhabitants to change their religion. For this purpose the Catholics were excluded from the liberal professions, from the universities, from public offices—forbidden to educate their children, to purchase lands, to engage in trade, by being excluded from the corporations which had a commercial monopoly;—forbidden, in short, to be anything but the serfs of a Protestant aristocracy. The meekest, humblest people would have hated a law which seemed to exist merely for the purpose of oppressing or converting the Catholics; and for securing to the Protestant landlord his rent, to the Protestant clergyman his tithe.

The criminal law is, if such a thing be possible, an object of still bitterer detestation. In the first place, it is the support of the civil law. When the one orders a distress, or an ejectment, the other compels obedience. In the second place, the criminal law has long been the punisher of acts in themselves innocent, or even meritorious. Within living memory, it punished the Catholic

priest for performing the offices of religion—the Catholic teacher who ventured to give instruction—the Catholic parent who sent a child abroad to receive the education which was denied to him at home—and the Catholic pilgrim who visited a spot sacred to him by its associations. In blind imitation of the English model, the ordinary jurisdiction, both civil and criminal, was given to the local aristocracy, and thus the Catholic tenant found in his judge a Protestant landlord. It is probable that injustice was often perpetrated,—it is certain that it was always suspected; and, as far as public opinion is concerned, there is little difference between the reality and the suspicion.

Hatred of the law naturally tends to attempts to render it inefficient; and the mode which the Irish have almost always adopted, has been the establishing a rival law, with rules and sanctions of its own. What have been, or what are, the provisions of that law cannot be accurately stated. It is not a code, but a sort of common law, of which those who carry it into effect are the interpreters, and which must be inferred from precedents. Its general objects are, to elude those parts of the real law, or to prevent that conduct in the higher classes, which the labouring classes or the peasantry think injurious to themselves. It varies therefore from time to time, and from place to place. It may be divided, however, into two great classes—the insurrectionary law of the country, and the insurrectionary law of the towns.

In rural districts the particular object has been, some-

times to lower rents, sometimes to lower or to abolish tithes, sometimes to abolish rates, sometimes to reduce the dues of the Catholic priests, sometimes to raise the price of labour, sometimes to prevent the employment of strangers —but always to prevent any diminution in the number of holdings. Nor has the rural insurrectionary law ever been universal. It has been a partial disorder, and generally an intermittent one. It must be remembered, however, that the absence of such a law cannot be inferred from the absence of outrage. *That* absence may arise merely from implicit obedience. The usual cause of outrage is some act by an owner of land, or an employer of labour, which the peasantry consider mischievous. Those who think themselves wronged, or who fear the influence of the example, proceed from cottage to cottage, and seduce or terrify the men to swear to obey their orders, and to force their neighbours to take a similar oath. The confederates probably possess some arms, and obtain others by plundering the houses which are known to contain them. The leaders then order the torture, mutilation, or death of those who have been guilty of conduct which they think injurious to their order, and sometimes also that of their families and of their relations. The sentence is generally inflicted by persons summoned from a distance, who receive their travelling expenses and a small fee for their services.

These punishments have the peculiar attribute which distinguishes legal executions from the violences of private resentment. They are directed, not against the person,

but the act. They are exemplary rather than vindictive. They fall less on the instigator of the conduct which is intended to be repressed, than on the instruments through whom he has acted. In general, the victim is not the proprietor who has ejected a tenant, but the peasant who has succeeded to the vacant tenement; it is not the landlord who exacts a rent which the self-appointed legislators think too high, but the tenant who pays it; it is not the farmer who has hired a stranger, but the stranger who has ventured to be hired; it is not the priest who makes what they think an improper demand, but the parishioner who submits to it. Regardless too, as they appear to be, of human suffering, they prefer prevention to punishment. After having struck terror by their first executions, they proceed to send or publish notices requiring certain things to be done, or to be forborne, and leave unmolested those who immediately obey.

The insurrectionary law of the towns differs from that of the country only in its immediate object. It aims at influencing the relation between employer and labourer, instead of that between landlord and tenant. It differs from the combinations which our careless, or indolent, or timid Legislature still permits to injure the welfare, and destroy the morality, of the Scotch and English work-people, only by the still grosser folly of its immediate ends, and the still more sanguinary ferocity of its means. To prevent the use of machinery—to force the materials of labour to be imported in the least finished state—to prohibit piece-work—to equalise the wages of the skilful

and the ignorant, of the diligent and the idle, of the strong and the weak—and generally to force the manufacturer to employ his capital, and the mechanist and chemist his knowledge and talents, only under the dictation of his shortsighted and rapacious workmen;—such are the objects of the combined workpeople who now govern every town in Ireland in which any manufacturing capital still lingers. The means are those used in the country—torture, mutilation, and murder. 'In Cork,' said Mr. O'Connell—in the speech in which, on February 13, 1838, he moved for a Committee on Trades Unions—'within the last two or three years, thirty-seven persons have been burned with vitriol, so as to lose their eyesight; and in Dublin there is not a day in which some such crime is not committed. On January 4 a man was dreadfully beaten, only because, not belonging to the combination, he could not give the sign of recognition. On the 11th, a man and his wife were violently beaten merely because the man was not a combinator. Some of those who have not murdered with their own hands, have paid three shillings a week out of their wages for the hire of assassins.'

It is thus that not merely is the introduction of capital prevented, but the capital formerly existing and employed in many of the towns of Ireland has been driven away. It is thus that shipbuilding, once a flourishing trade in Dublin, has been utterly destroyed; it is thus that the bargemen have rendered the canals almost useless.

'Ireland,' says one of the witnesses in the Poor-law

Inquiry, 'is the dearest country in the world for labour. Every description of artisan demands at least one-third more than in England: there is even a combination among the common porters on the quay, who would rather starve than work under the regulated price. Bribery has no effect on my men, and if I remonstrate they stop directly.'* One of the most intelligent witnesses examined by the House of Commons' Committee on Combinations, in 1838, was Mr. Murray, formerly eminent in Dublin as an architect and builder. He had been thirty-seven years in business, at the head, or nearly the head, of his profession. During that time he had been severely beaten himself. He had been forced for two years to carry arms. One of his men had been beaten to death in broad daylight, at six o'clock in a summer evening, in a crowded street; another had been shot. At three different times his workmen had been attacked, beaten, and maimed in his own yard. At other times they had been waylaid and injured on their way to him, and his whole establishment had been maliciously set fire to and burned down. To some questions respecting his workmen, he answers—'They have all gone from me now, for I am going to leave the country.'—'Why?'—'I am going to leave it altogether. I have two little boys that I want to rear up to industry, and I do not like to rear them up in Ireland.' †

* Irish Poor-law Inquiry, Appendix C, pp. 2, 35.

† Minutes of Evidence, Questions 5882—5883. [See also Senior's 'Historical and Philosophical Essays' (Combinations and Strikes), vol. ii. p. 148, *et seq.*—Ed.]

Whether in the country or in the towns—whether the object be to affect the relations between landlord and tenant, or those between capitalist and workman—there is one offence which the insurrectionary legislators and administrators always punish with the most pertinacious ferocity; and that is, the assisting their natural enemies, the legal courts of justice. Here again is shown their tendency to attack the instrument rather than the principal. The judge, the jury, the public prosecutor, even the policeman, is generally safe, but nothing but flight can secure the informer or the witnesses. Any man, woman, or child who has had the misfortune to be called on, and to be able to give evidence respecting what is called an outrage, must elect between perjury, expatriation, and death. Crimes may be committed in the presence of hundreds, the criminals may be notorious throughout a whole district, and no voluntary evidence be obtainable. The administrators of justice are therefore forced to rely, almost exclusively, on the testimony which in Scotland or in England is cautiously received even as supplementary—the testimony of accomplices. When an outrage has been perpetrated, all those suspected to have been concerned in it are arrested, in the hope that some one of them may be induced to betray the others. If all are firm, all escape, and one more is added to the mass of undetected crimes. If one of them yield to the fear of being anticipated in his revelations by another, he is detained in prison, for his own sake, until his testimony

has been used, and then he and all his family, perhaps his relations, must leave Ireland for ever.

Of course, the imperial law is most detested when it comes into collision with the insurrectionary law, and attempts to punish what that law has commanded; but, as we have already stated, all real law is an object of hatred to the mass of the Irish people. 'If a man picks your pocket,' says Mr. Barrington, 'the bystanders will hustle you to let him escape. They think it an honour to protect anyone who is charged with an offence.' He is asked whether that feeling is not peculiar to cases of agrarian outrage—whether, in cases of robbery, the peasantry are not anxious to have the robber apprehended? He answers—'I have known *some few cases* in which the farmers have pursued robbers, and the consequence was, *it being so unusual*, that they were handsomely rewarded. They do not like to see a man prosecuted; they will assist him to escape if they can. You will find it very difficult to get a witness against a person; while hundreds will be found to swear an *alibi*, or anything else, to save him.'* Those who have assisted in giving effect to the law are not safe even in England, if they are surrounded by an Irish population. A remarkable instance is mentioned in the Report on the Irish Poor in Great Britain. A young Irishman in Wigan informed the magistrates, that two men then in the town had committed a rape and robbery in Ireland, and had fled from justice.

* Cited in Lewis's 'Irish Disturbances,' p. 253.

Repeated attempts were made by the Irish in Wigan to murder both him and his brother. He was severely wounded, and at length driven from the place.*

It is obvious that the insecurity of a community in which the bulk of the population form a conspiracy against the law, must prevent the importation of capital; must occasion much of what is accumulated there to be exported; and must diminish the motives and the means of accumulation. Who will send his property to a place where he cannot rely on its being protected? Who will voluntarily establish himself in a country which to-morrow may be in a state of disturbance?—a state in which, to use the words of Chief Justice Bushe, 'houses and barns and granaries are levelled, crops are laid waste, pasture-lands are ploughed, plantations are torn up, meadows are thrown open to cattle; cattle are maimed, tortured, or killed; persons are visited by parties of banditti, who inflict cruel torture, mutilate their limbs, or beat them almost to death; men who have in any way become obnoxious to the insurgents, or opposed their system, or refused to participate in their outrages, are deliberately assassinated in the open day; and sometimes the unoffending members of a family are indiscriminately murdered by burning the habitation.'† A state in which even those best able to protect themselves—the gentry—are forced to build up all their lower windows with stone and

* Appendix to Report on Irish Poor in Great Britain, p. 87.

† Charge on the Maryborough Commission, p. 5. (Cited in Lewis's 'Irish Disturbances,' p. 227.)

mortar; to admit light only into one sitting-room, and not into all the windows of that room; to fortify every other inlet by bullet-proof barricadoes; to station sentinels around during all the night, and the greater part of the day; and to keep firearms in all the bedrooms, and even on the side-table at breakfast and dinner-time.* Well might even Bishop Doyle exclaim—'I do not blame the absentees; I would be an absentee myself if I could!'

The state of society which has been described may be considered as a proof of the grossest IGNORANCE: for what can be a greater proof of ignorance than a systematic opposition to law, carried on at the constant risk of liberty and of life, and producing where it is most successful, in the rural districts, one level of hopeless poverty, and in the towns weeks of high wages, and months without employment;—a system in which tremendous risks and frightful suffering are the means, and general misery is the result? The ignorance, however, which marks the greater part of the population of Ireland is not merely ignorance of the moral and political tendency of their conduct—an ignorance in which the lower orders of many more advanced communities participate—but ignorance of the businesses which are their daily occupations. It is ignorance, not as citizens and subjects, but as cultivators and labourers. They are ignorant of the

* See the evidence of Mr. Blacker, House of Commons' Report on the State of Ireland (1824), p. 75; that of Mr. Griffiths, *ibid.* p. 232; and that of Mr. Blacker, House of Lords' Report (1824), p. 14.

proper rotation of crops, of the preservation and use of manure—in short, of the means by which the land, for which they are ready to sacrifice their neighbours' lives and to risk their own, is to be made productive. Their manufactures, such as they are, are rude and imperfect; and the Irish labourer, whether peasant or artisan, who emigrates to Great Britain, never possesses skill sufficient to raise him above the lowest rank in his trade.

INDOLENCE—the last of the causes to which we have attributed the existing misery of Ireland—is not so much an independent source of evil, as the result of the combination of all the others. The Irishman does not belong to the races that are by nature averse to toil. In England, or Scotland, or America, he can work hard. He is said, indeed, to require more overlooking than the natives of any of these countries; and to be less capable, or (to speak more correctly) to be less willing, to surmount difficulties by patient intellectual exertion; but no danger deters, no disagreeableness disgusts, no bodily fatigue discourages him.

But in his own country he is indolent. All who have compared the habits of the hired artisans, or of the agricultural labourers in Ireland, with those of similar classes in England or Scotland, admit the inferiority in industry of the former. The indolence of the great mass of the people, the occupiers of land, is obvious even to the passing traveller. Even in Ulster—the province in which, as we have already remarked, the peculiarities of the Irish character are least exhibited—not only are the cabins,

and even the farmhouses, deformed (within and without) by accumulations of filth which the least exertion would remove, but the land itself is suffered to waste a great portion of its productive power. We have ourselves seen field after field in which the weeds covered as much space as the crops. From the time that his crops are sown or planted until they are reaped, the peasant and his family are cowering over the fire, or smoking or lounging before the door—when an hour or two a day, employed in weeding their potatoes, or oats, or flax, would perhaps increase the produce by one-third.

The indolence of the Irish artisan is sufficiently accounted for by the combinations which, by prohibiting piece-work, requiring all workmen to be paid by the day, and at the same rate, and prohibiting a good workman from exerting himself, have destroyed the motives to industry. 'I considered it,' says Mr. Murray, 'a very hard rule among them, that the worst workman that ever took a tool in his hand should be paid the same as the best—but that is the rule and regulation of the society; and that there was only a certain quantity of work allowed to be done, so that, if one workman could turn more work out of his hands, he durst not go on with it. There is no such thing as piece-work; and if a bad man is not able to get through his work, a good workman dare not go further than he does.'*

The indolence of the agricultural labourer arises, per-

* House of Commons' Committee on Combinations (1838)—Questions 5872—5876.

haps, principally from his labour being almost always day-work, and in a great measure a mere payment of a debt—a mere mode of working out his rent. That of the occupier may be attributed to a combination of causes. In the first place, a man must be master of himself, to a degree not common even among the educated classes, before he can be trusted to be his own taskmaster. Even among the British manufacturers, confessedly the most industrious labourers in Europe, those who work in their own houses are comparatively idle and irregular, and yet they work under the stimulus of certain and immediate gain. The Irish occupier, working for a distant object, dependent in some measure on the seasons, and with no one to control, or even to advise him, puts off till to-morrow what need not necessarily be done to-day—puts off till next year what need not necessarily be done this year, and ultimately leaves much totally undone.

Again, there is no damper so effectual as liability to taxation proportioned to the apparent means of payment. It is by this instrument that the Turkish Government has destroyed the industry, the wealth, and ultimately the population, of what were once the most flourishing portions of Asia—perhaps of the world. It is thus the *taille* ruined the agriculture of the most fertile portions of France. Now the Irish occupier has long been subject to this depressing influence, and from various sources. The competition for land has raised rents to an amount which can be paid only under favourable circumstances. Any accident throws the tenant into an arrear, and the arrear is

kept a subsisting charge, to be enforced if he should appear capable of paying it. If any of the signs of prosperity are detected in his crop, or his cabin, or his clothes, or his food, some old demand may be brought up against him. Again, in many districts, a practice prevails of letting land to several tenants, each of whom is responsible for the whole rent. It is not merely the consequence, but the intention, that those who can afford to pay should pay for those who cannot.

Again, it is from taxation, regulated by apparent property, that all the revenues of the Irish Catholic Church are drawn. The half-yearly offerings, the fees on marriages and christenings, and—what is more important—the contributions to the priest, made on those occasions by the friends of the parties, are all assessed by public opinion, according to the supposed means of the payer. An example of the mode in which this works occurred a few months ago, within our own knowledge. 300*l.* was wanted by a loan-fund, in a Catholic district in the North of Ireland. In the night one of the farmers, a man apparently poor, came to his landlord, the principal proprietor in the neighbourhood, and offered to lend the money, if the circumstance could be kept from his priest. His motive for concealment was asked, and he answered that, if the priest knew that he had 300*l.* at interest, his dues would be doubled. Secrecy was promised, and a stocking was brought from its hiding-place in the roof, filled with notes and coin, which had been accumulating for years until a secret investment could be found.

Again, for many years past, a similar taxation has existed for political purposes: the Catholic Rent, the O'Connell Tribute, and the Repeal Rent, like every other tax that is unsanctioned by law, must be exacted, to a larger or smaller amount, from every cottier or farmer, as he is supposed to be better or worse able to provide them.

Who can wonder that the cultivator, who is exposed to these influences, should want the industry and economy which give prosperity to the small farmer of Belgium? What motive has he for industry and economy? It may be said that he has the same motive in kind, though not in degree, as the inhabitants of a happier country, since the new demand to which any increase of his means would expose him probably would not exhaust the whole of that increase. The same might be said of the subjects of the Pasha. There are inequalities of fortune among the cultivators of Egypt, just as there were inequalities in that part of France which was under the *taille*. No taxation ever exhausted the whole surplus income of all its victims. But when a man cannot calculate the extent to which the exaction may go—when all that he knows is, that the more he appears to have the more will be demanded—when he knows that every additional comfort which he is seen to enjoy, and every additional productive instrument which he is found to possess, may be the pretext for a fresh extortion, he turns careless or sulky—he yields to a strong temptation of indolence and of immediate excitement and enjoyment—he becomes less industrious, and therefore produces less—he becomes less frugal, and

therefore, if he save at all, saves a smaller portion of that smaller product.

We trust that it will not be supposed that we have attempted a portrait of the Irish people. We have attended only to those parts of their character which most affect their economical condition. Other qualities, and these very admirable—such as parental, filial, and conjugal affection and fidelity, liberality, and readiness to assist one another in distress—they possess in a high degree. But these have nothing to do with the matter before us. We must add, that if any of our readers think that, with respect to the points which we have treated, our picture has been unfavourable, we refer them to Bishop Doyle, who certainly cannot be accused of ignorance of his countrymen, or of any wish to misrepresent them. We recommend to them his Pastoral Letter on Tithes—a production containing some theories from which we dissent, and betraying some feelings with which we do not sympathise, but which no one can read without admiring the genius of the writer, and feeling convinced of his sincerity. The drunkenness which he ascribed to his countrymen has ceased, we hope permanently, to deform them, but we doubt whether they have much changed in other respects during the twelve years that have passed since that letter was written.

'What,' says Bishop Doyle, 'are the sources of your evils?—A disregard of yourselves, springing out of your own worthlessness, your own idleness, your own drunkenness, your own want of energy and industry in improving your

own condition. These are *your* vices, the fruits of long and grinding oppression—the almost hereditary vices of the Irish people. Your situation never can or will improve until unceasing industry succeed to idleness—until obedience to the laws and self-respect become the character of the Irish people. Till then, you may complain of oppression, but it will not cease; you may rail against the law, but it will always persecute you; you may hate the magistrate, but he will always have his foot upon your necks. You complain of rackrents and tithes, and want of employment, and of the ejectment of poor tenants. You complain of all these, and you complain of them most justly. But no power on earth can at once remedy these evils. The Government and Legislature are endeavouring to heal them; but time is necessary for the accomplishment of so great, so good, and so difficult a work. More, however, depends on you than on the will of kings, or on the acts of a parliament. All the laws that ever were enacted would not render an idle or a vicious people rich or happy. And if men become sober and industrious, abstaining from evil and doing good, each in the state of life or calling wherein Providence has placed him, such a people, without almost any aid from law or government, would enjoy comfort and happiness.'*

So far our task has been easy. It is easy to describe the Moral and Material defects of Ireland. It is easy to

* Appendix to Lords' Report on Tithes (1832), vol. ii. p. 52.

show how mutually they act and react. It is easy to show how insecurity occasions want of capital—how want of capital occasions idleness and misery—and how idleness and misery lead to turbulence and insecurity, until the result is a circle of calamities, each in turn creating, aggravating, and recreating the others. It may appear, at first sight, equally easy to point out the appropriate remedies. The debates of the last session seem to have exhausted the subject, and to have left to us merely the task of selection and repetition. To a great extent this is true. We have little to add to what has been stated by Lord Lansdowne, Lord John Russell, Lord Palmerston, and Lord Howick; and we do not hope to improve the clearness of their statements, or the force of their arguments. Our real difficulty lies in the necessity of compression. It lies in the necessity of bringing within the compass of an article of reasonable extent, subjects which, if adequately treated, would require volumes. We shall attempt, however, to indicate the principal remedies, in the hope that our brief exposition of them may awaken the interest, and direct the enquiries of those who are not conversant with Irish questions, and may serve as memoranda to those to whom they are familiar.

We have already said that the great evil of Ireland—the evil which creates or perpetuates all her other calamities—is the insecurity of person and property; arising from the detestation, by the mass of the people, of her existing institutions, and their attempts to substitute for them an insurrectionary law of their own.

It is obvious that the first step towards the cure of this detestation must be to remove its causes: the first step towards making the institutions of Ireland popular must be to make them deserve to be so. If, indeed, they were already deserving of popularity—if the existing law were odious in Ireland, from causes unconnected with its defects, the remedy would be difficult—and, if these causes were irremovable, would be hopeless. But this is an impossible supposition. No population hates the mass of its existing laws without sufficient reason. The tendency is in the opposite direction. The tendency is to cling to whatever is established, merely because it is established; although the motive for its original adoption was erroneous, or has ceased to exist. A single good institution may indeed be unpopular, if it be new, as is the case in some English districts with the amended Poor-law; or a bad one may be hated though it be old, as was the case with the unreformed Franchise: but no long-established system was ever the subject of popular dislike unless it deserved to be so; unless it were not merely imperfect—all human institutions are imperfect—but obviously, and in important matters, unjust and mischievous.

No one, whatever be his party, whatever be his religion, has been able, while he read the last sentence, to prevent his thoughts from turning to the provision made in Ireland for the religion of the people. That the episcopal palaces, the episcopal estates, the chapter estates, the parsonages, the glebes, and the tithes of the whole country should be given over to one-tenth of its population; that another

tenth should receive a regular provision for its clergy from the imperial revenue; and that the remaining four-fifths should obtain no public aid in supplying their spiritual wants, except a trifling annual vote for a seminary; that the endowed minority should be the richest, and the unassisted majority the poorest portion of the community; that the minority should be the intruders into an endowment of which the majority were the ancient founders and possessors,—all this some may think an injury, others an insult, and others (among whom we find ourselves) may think it an insult and injury combined. Some may suppose that it is the unhappy but necessary link by which Great Britain and Ireland are united; others, that it is the wedge that is to separate them: some may believe that it is one of the outworks of the Church of England; others, that it affords the platform from which that Church can be most easily attacked. But no British statesman, whether Tory or Whig, Conservative or Radical, however he may think it ought to be dealt with in practice, dares to defend, or even to palliate it in principle. No one ventures to affirm that, if the past could be recalled, he would propose such an institution—no one would tamely submit to the imputation of such folly and such injustice—no one conceals his regret that our ancestors were guilty of such an absurdity and such a crime. If such are the feelings of bystanders, what must be those of sufferers? If Protestants are filled with shame and remorse, what can be expected from Catholics but indignation and hatred?

We have said that the ecclesiastical system of Ireland is

both an injury and an insult. As an insult it has no parallel in history. Oppression and robbery in matters connected with religion have been unhappily frequent; but in all other cases the oppressed and robbed have been the minority. That one-tenth of the population of a great country should appropriate to themselves the endowment originally provided for all their countrymen; that, without even condescending to enquire whether there were or were not a congregation of their own persuasion to profit by them, they should seize the revenues of every benefice, should divert them from their previous application, and should hand them over to an incumbent of their own, to be wasted as a sinecure if they were not wanted for the performance of a duty—this is a treatment of which the contumely stings more sharply even than the injustice.

It is important, however, that they should be accurately distinguished. The *insult* consists not in the absence of an ecclesiastical provision for the Catholics; but in the transfer of the Catholic endowment to a small Protestant minority. If that endowment, instead of being transferred, had been confiscated; if it had been given up to the landlords, or sold for the benefit of the imperial revenue, and no public provision made for any religion whatever, a grievous injury would have been inflicted, but no insult. On the other hand, the *injury* consists not in the provision made for the Protestants, but in the absence of a provision for the Catholics. If, when Protestant bishops were appointed to every Irish diocese, Protestant dignitaries to every

chapter, and Protestant incumbents to every benefice, an equivalent stipend had been paid out of the imperial revenue to the Catholic clergy, the Catholics would have been insulted, but not injured.

Those who undertake the miserable office of defending the existing ecclesiastical arrangements in Ireland, are forced to confound these separate grievances. When the Catholics complain of the *injury* inflicted by the absence of a public provision for their spiritual wants, they are told that the absence of such a provision is not an *insult*. They are told that they have no more right to complain than the Protestant Episcopalians have in Scotland, or the Presbyterians in England. When they complain of the *insult* offered to them by the endowment of the Protestant Church, they are told that the Protestant endowment is not an *injury*. They are told that tithes are merely a form of rent; and that the Protestant incumbents and dignitaries are merely landlords bound to residence, and generally distinguished by the knowledge and the morals on which the usefulness of a resident landlord depends.

It is on the insult alone that the Irish revolutionary party has fastened. They adopt what has been called the 'voluntary system;' and therefore not merely deny that the absence of an endowment for the Catholic clergy is an injury, but maintain that it is a benefit. Their motives for expressing this opinion we shall explain hereafter; but admitting—what we are ready to admit—that there may be certain states of society in which the 'voluntary

system' may be advantageous, every impartial person must feel that, when applied to the Catholic population of Ireland, it is eminently mischievous.

For this purpose, it is sufficient to recollect, That the frequent ceremonial observances of Catholicism require a much more numerous clergy than would be necessary in an equal number of Protestants; That the Irish Catholics form the poorest part of the poorest civilised population in the world—a population with little division of labour, little exchange, and scarcely any use of money; That to extract a regular income in money from a congregation so composed, must require a constant urging of small demands—a constant contest with poverty and fraud, to which no man with the birth, the education, or the feelings of a gentleman could readily submit; That an exaction not sanctioned by law must be enforced by influence, and that the easiest modes of obtaining influence among the uneducated, are to inflame their passions, to aggravate their antipathies, and to exaggerate their superstitions; and That, under such circumstances, the spiritual instruction of the people must fall into the hands of a clergy little raised, by birth or by connection, above the mass of their flocks;—living among the peasantry, participating in their feelings and prejudices;—popular, powerful, and comparatively rich, while they obey the will of the people, by appearing to lead it; but poor, weak, and defenceless—without authority, without sympathy, without subsistence, and (what in that country is equally important) without protection—as soon as they oppose it.

But we will not let this matter rest solely on inference from general principles. We will support and illustrate our views by the direct evidence of Mr. O'Croly, for many years the parish priest of Ovens and Aglis, in the South of Ireland. As Mr. O'Croly has since quitted the Catholic communion, it is probable that, at the time when he wrote, though he was outwardly a member of that communion, it had even then lost its hold on his respect and his affection. His mere inferences, therefore, must be cautiously examined, as they may be tinged with anti-Catholic prejudices; but we see no reason to doubt the accuracy of his facts, when he speaks from his own knowledge.

'The revenue,' he says, 'of the parish priest is derived from a variety of sources.* There are confession dues, marriage dues, baptism dues, mass dues, and dues for anointing. He is also paid at times for attendance at funerals. Confession furnishes the most steady and constant source. Twice a year he collects confession-money, under the denomination of Christmas and Easter offerings. The priest selects one or two houses in every ploughland or neighbourhood, where he holds, according to appointment, what are called "stations of confession;" and it is required that the families all about should meet him, make their confessions, receive the holy sacrament, and finally pay the customary dues. It sometimes happens that this business is not transacted quietly. If increased dues are demanded—a thing of occasional occurrence—disagreeable and sometimes scandalous altercations ensue. Similar scenes occur when individuals attend

and crave time for payment; while such as absent themselves, unless they send the dues as an apology, are generally made the subject of public exposure.

'Come we now to another item of ecclesiastical revenue —marriage-money. The first thing done, when there is question of marrying a couple, is to make a bargain about the marriage-money. The priest drives as hard a bargain as he can, and strives to make the most of the occasion. But this is only a preliminary proceeding. Demands of money are made upon such as are present at the marriage—at least upon the male portion of the assembly. In general the demands are considered unreasonable. Some endeavour to evade the payment of any contribution—others give little, and the few that please the priest are exceptions. What is the consequence? The clergyman, after entreating some time to little purpose, gets at length into a rage—utters bitter invectives—abuses, perhaps, the whole company, and is abused himself in turn, until the house becomes a scene of confusion and uproar.

'Baptism-money comes next. The general rule is to baptize at private houses, or at the priest's house or lodgings. The father of the infant pays, as they say, for the baptism; the gossip-money is demanded of the sponsors, and, if not satisfactorily paid, scenes of abuse and recrimination frequently ensue—similar, indeed, to what takes place on occasion of marriage, only upon a smaller scale.

'The custom of anointing is considered, in this country,

to be of the last importance, so that no misfortune is accounted greater than to depart this life without its reception. This rite is often administered under most distressing circumstances—amidst sickness, lamentation, destitution, and want: yet money is demanded.

'Other bad consequences arise out of the present system of Church support. Let us view the conduct of the priests as instructors of their people. Their congregations everywhere have shown an utter disregard to law and to the constituted authorities; nothing among them but sedition and insubordination—burning and maiming—murder and massacre. What did the priests, the guides and pastors of the people, do under these circumstances? It would be too much, perhaps, to say that the priests themselves were the original instigators of the misguided multitude. There is no doubt that many of them acted a prominent part in the business; and the impression on the minds of the common people was, and is, that the priests gave it their full and unqualified sanction. But many of them yielded reluctantly to the torrent, and appeared to give their approbation to that which they in reality condemned. Can it be said that the present state of clerical dependence had no share in determining this conduct? The multitude held the strings of the clerical purse, and woe betide the unfortunate priest who would set himself in opposition to their wishes! The common cry was, that they would not uphold any priest who would not back them in their proceedings. The dread of poverty, and of being cast off by those to whom they looked for subsistence, contributed

powerfully to make the body at large become mere time-servers. It was a kind of general apostacy, arising from base considerations of self-interest; accordingly, they either preached or countenanced lawless combination.' *

It is not to be supposed that we believe this to be a true representation of the whole body of the Catholic priesthood of Ireland. We know that there are among them men as pure, as sincerely pious, and as highminded as in any priesthood in Europe. But though we are satisfied that Mr. O'Croly's representation does not apply to even a majority of the Irish Catholic priests—though we believe that there are but few marked by all the bad qualities and degrading characteristics which he has imputed to the general body—we, at the same time, believe that his inferences, though much too sweeping, are deduced from facts—from instances observed by himself—and that his testimony as to the existence of such facts is worthy of credit.

We do not believe that the priests often preach actual outrage; but we do believe that there are many cases in which they do not do their utmost to prevent it, and many in which they share the opinions and feelings from which it proceeds. They belong to the peasants by birth; they are connected with them by social intercourse; and they come little in contact with any others, either during their education or during their ministry. The only public opinion which they fear is that of their own congregations, and of

* Essay on Ecclesiastical Finance, by the Rev. D. O'Croly, pp. 28—40 (3rd edit. 1834).

their own body; and there certainly is nothing in their position to make them less hostile than those around them to the institutions of their country. They owe nothing to the existing law. The theory of that law is, that there is in Ireland neither a Catholic laity nor a Catholic priesthood. It does not secure them in their revenues or in their benefices; they have no property for it to protect; they have no families whom its subversion might ruin; it offers no prizes to their vanity or their ambition; the only notice which it takes of them is to allow them to be chaplains to jails and workhouses, and to prohibit their being Poor-law guardians. They feel more deeply than any other portion of the people the recollection of old and the presence of existing wrongs. Their predecessors were legally murdered, and they see every day the churches and cathedrals from which those predecessors were expelled. While they are forced to wring their subsistence from a half-starved peasantry, they see in every benefice an Anglican incumbent enjoying—often for doing nothing, or what they believe to be worse than nothing—the parsonage, the glebe, and the revenue which they think ought to belong to themselves.

We have already said that no permanent improvement in the physical condition of the Irish people, no increase in their capital, or in the productiveness of their industry, can be hoped while their present hostility to the law, and the consequent insecurity of person and property, continue. But, while this is the position, and these are the feelings, of those specially set apart to teach the people, what is

the sort of instruction and advice which is to be expected? What is to be hoped when to the misery of the flock is added the hostility of the pastor—a pastor, too, armed with confession, penance, and absolution?—when the priests attribute their degradation, and the people their wretchedness, to one common enemy, the law?

So far we expect no material disagreement among that portion of the public who are our readers. We believe that the great majority admit, that the first effectual step towards the recovery of Ireland, is to relieve the Catholic population from the irritating and misdirecting influences to which both the laity and the clergy are subjected, by the loss of the original endowment of their Church. But while the necessity of supplying that loss, at least to a certain degree, is conceded, there are differences of opinion—first, as to the expediency of obtaining the previous consent of the Catholic clergy; secondly, as to the fund from which the proposed provision should be taken; and, thirdly, as to the principles on which the amount should depend.

Some persons maintain that no arrangement of this kind can be made without the active co-operation, or at least the expressed acquiescence, of the priesthood; others, that no such co-operation, or even acquiescence, can be obtained, but that the offer can be made in a form in which it will be ultimately and beneficially accepted. Some have proposed that the intended endowment should be taken from a part of that which is now appropriated to the Protestant Establishment—others, that it should be

taken from the general revenue of the State. And, lastly, some have proposed that the State should supply the whole, or the far greater part, of the necessary provision—others, that it should supply only a portion, and that not necessarily the greater portion.

We will consider these three questions separately.

On the first question, no one can doubt the advantage of obtaining the co-operation of the Catholic clergy, and we believe that, until within a short period, it was obtainable. In 1825, when, on the motion of Lord Francis Egerton, the House of Commons resolved—'That it is expedient that a provision should be made by law towards the maintenance of the Catholic clergy exercising religious functions in Ireland'—many of the most eminent of the Catholic clergy and laity were examined on this subject. It will be worth the reader's while to consult the evidence published in that year by the Commons' Committee on the State of Ireland,—particularly that of Mr. O'Connell, and of the Catholic Archbishops of Armagh, Dublin, and Tuam, and of the Catholic Bishops of Kildare and Ardagh. 'I beg to state,' said Mr. O'Connell, 'that I am thoroughly convinced that the object of the Catholic clergy and laity in Ireland is sincerely and honestly to concur with the Government in every measure that shall increase the strength of the Government in Ireland, so as to consolidate Ireland with England completely.'* And for effecting this consolidation his two measures were—first, Emancipation; and, secondly, a provision for the Catholic

* Minutes of Evidence, p. 120.

Church. His evidence on the latter subject is remarkable, not only in itself, but as having been volunteered. Not a suggestion, not a hint as to such a provision, had been given to him, when, after disposing of a question on a different subject, he added:—

'I think it would be unwise in the Government, if Emancipation were carried (and until it was carried the Catholic clergy would not accept of a provision), to leave the Catholic priesthood unprovided. I think it would be extremely wrong in the Government to give them any part of the revenue of the present Church Establishment, and they would not accept of it; but I think a wise Government would preserve the fidelity and attachment of the Catholic clergy by what I call the golden link, by pecuniary provision, so that the Government should be as secure, in all its movements towards foreign Powers, of the Catholic clergy, as they now are of the Protestant clergy; that they should be, in short, a portion of the subjects of the Government and the State, identified with them. Our wish would be, that the Government should have proper influence over them, which a certain pecuniary connection would give. Our wish would be, that the Government should be strong by the combination of the subjects. Our anxiety is to become subjects out-and-out, as the Protestants are.'

'Have you had communication on this subject with the clergy high in the Roman Catholic Church of Ireland?'—'I have spoken upon the subject with those gentlemen: without pledging myself for all of them, I understand that

their sentiments coincide entirely with those which I have had the honour to express. The late Catholic Bishop of Kerry was a cousin-german of mine—a man of very clear and distinct intellect. He was anxious for that arrangement, and, I am sure, anxious for it from the purest motives.'

'Your opinion is, that, coupled with Emancipation, that would be accepted by the Catholic clergy?'—'My opinion is that, coupled with or following Emancipation, it would be acceptable, but not preceding it; and my humble opinion is, that it would be a most desirable thing to have that species of settlement take place after Emancipation. The consequence would be, that the Catholic clergy would become in the nature of officers belonging to the Crown, forwarding the views of Government in every case where there was not something that revolted in general, such as harsh or unconstitutional illegal measures; but that the general tenor of their conduct would be decidedly in support of the Government, and perhaps even in instances that theoretic friends of the Constitution would not wish for. I believe the propensity of the Catholic clergy is very much towards an unqualified submission to the law, and to the Government, whatever it may be.'*

We believe that this opportunity has been lost. When the Wellington Cabinet conceded Emancipation, they conceded only what they felt themselves unable to refuse; and as a provision for the Catholic clergy was not demanded—as the only motives were its utility and justice—they did not choose even to consider a proposal which could benefit

* Minutes of Evidence, pp. 81–82.

only the Empire, and might probably injure the party. The omission did not arise from inattention. 'I fear,' said the Duke of Wellington, in the debate of June 10, 1828, 'that Catholic Emancipation will not be found a remedy, unless we could find a means of connecting the Roman Catholic Church with the Government of the country.'* In 1829, the Duke chose to forget this fear, or at least to suppress it; but Sir Robert Peel, speaking in the same room in which the House of Commons, only four years before, had resolved, 'That it is expedient that a provision should be made for the Roman Catholic clergy,' could not refuse to comply with that resolution, without alluding to the subject. He escaped, however, under a cloud of unwarranted assumptions, unmeaning generalities, and cowardly objections. He assumed that such a provision implied a negotiation with the Court of Rome, and he thought 'that such a negotiation would be revolting to the feelings of Englishmen, and to the pride and independence of this country. He thought that such a provision would be a departure from the great principle which insures the inviolability of the doctrine and discipline of the Church of England, and repugnant to the feelings of the country.'†

The busy Administration of Lord Grey was filled by matters perhaps equally important and more urgent; and it would have been useless, perhaps mischievous, for the Melbourne Cabinet, with a small majority in one House, and a small minority in the other—never allowed to carry

* 'Mirror of Parliament,' p. 1906.

† See his speech, March 5, 1829, 'Mirror of Parliament,' p. 428.

a measure which their adversaries thought likely to be popular—to make a proposal, which, if it escaped the sectarian and factious opposition of one house, was sure to perish by that of the other.

The result was, that the Catholic clergy, feeling as bitterly as the rest of their countrymen the insult of the Protestant Establishment, and still more bitterly the injury of their own destitution—receiving neither aid, nor countenance, nor even protection from the Government—were partly tempted and partly terrified into taking part in the resistance to tithes. And having once joined in an insurrectionary movement—having once proclaimed that those who disapprove a law are justified in breaking it, and in forcing others to break it—they betrayed (what till then had been unknown) that they could be used as instruments by any party which could turn upon them the opinion of their flocks.

Among the parties which distract Ireland, the most active, and (in proportion to its numbers) the most powerful, is the revolutionary party—a party to which we know no counterpart in the history of these islands. All other parties (we are speaking now not of mere demagogues, or agitators for individual and personal purposes, but of parties) seek as their ultimate object the public good, however they may mistake the means of promoting it. The Chartists and the Ultra-Tories, the Anti-Corn-law League and the Farmers' Friends, all really believe that their success would be a public blessing. But the object of the Irish revolutionary party is not the general

welfare of the United Empire; it is not even the general welfare of Ireland, either as a part of the United Empire, or as a separate Republic: their real objects are to overthrow the Protestant Church, to confiscate the Protestant estates, and to retaliate on the Protestant party the injuries and insults of centuries. As they know that this cannot be effected under a British sovereign, they strive to separate themselves from Britain; as a means of effecting that separation, they strive to repeal the legislative union; and, as a means to that repeal, they strive to make the united government work ill.

By confirming the prejudices, misleading the expectations, aggravating the antipathies, and inflaming the malevolent passions of the least educated classes, this party has obtained great influence among those on whom the priests are dependent for their incomes, and for their popularity. The priests have now again, as they had when the anti-tithe war was raging, to choose between their duty and their immediate interest. But they have to choose under circumstances still more unfavourable. Having already become parties to a combination to defeat by violence and terror a law, unjust indeed and mischievous, but still a law; and having succeeded in so defeating it—having sanctioned the frightful doctrine, that the end justifies the means, and having obtained by atrocious means a useful end—they have lost the power to oppose the popular will by arguments founded on the principles of Christianity, or even of mere morality.

We suspect, indeed, that there are few among them

who wish to oppose it. It is probable that some are sufficiently ignorant to believe that Repeal may be peaceably obtained, and when obtained will be beneficial. Others know that the path to it is through civil war, but try to think that the gain will be worth the sacrifice, and perhaps comfort themselves with the reflection that their profession will exempt them from its dangers; and a few, we fear, share the ambitious and malignant passions of the anarchical party, and are willing to encounter any risks and any calamities, in the hope of inflicting ruin and subjugation on the Protestant and the Saxon. The greater part, however, we believe, have no clear notions either as to the objects or the means of the Repealers: but they see that they are the majority—they feel that they can be opposed only at the risk of fortune, reputation, and even life—and they join in the popular cry without knowing or much caring what it signifies.

The same motives which urge us earnestly to desire a public provision for the Catholic clergy, urge the revolutionary party fiercely to oppose one. In order to convince the people of Ireland that they cannot prosper under the Imperial Government, it is their business to take care that they shall not prosper—it is their business to perpetuate and exasperate every grievance. Nothing, therefore, excites their anger more than a proposal to remove by one measure both an oppression and an irritation.

We do not reckon Mr. O'Connell among the sincere Repealers. He knows too much to believe that Repeal can be obtained except by force; and he has too much to

lose to desire a sanguinary contest, in which power would accompany not the qualities which he possesses, popular eloquence and legal knowledge, but those which he wants, military skill and indifference to danger. We believe, too, that he has too much political sagacity not to be aware that Repeal, even if obtained, must produce separation—that separation would be followed by war between the North and the South of Ireland, and between the South of Ireland and Great Britain; until all the calamities of the seventeenth century would be repeated, and Ireland thrown back into the state of abject hopeless misery under which she lay torpid for nearly a century.

But though he cannot be a sincere Repealer, though he must despise the credulity and fear the violence of those who are; yet, unfortunately for himself and his country, all his angry and all his selfish passions appear to drive him to manifest the same feelings, and to express the same opinions, as the revolutionary party. He appears to be inflamed by all the religious and national antipathies of his least civilised countrymen; and he has to avenge his own failure in the British Parliament, and—what is more stinging—in British society. On most points his immediate objects and those of the Repealers coincide. Unless Ireland can be kept in a state of chronic discontent, *they* must abandon, or at least suspend, their schemes; and *he* must submit to a diminution of his power, of his wealth, of his patronage, and—what perhaps is still more important—of the admiration and applause which habit has made an excitement necessary to his happiness. He is as earnest, therefore, as the sincerest Repealer, in obstructing

a proposal, which by rendering Ireland tranquil might render her prosperous, and by rendering her prosperous render her contented.

Under such circumstances it would of course be useless to negotiate with the priests as to a measure which, whatever may be their own opinions or their own wishes, their masters require them to oppose. We believe, indeed, that the mere attempt at such a negotiation would, for a time at least, defeat the plan. Propose to them, as a body, to accept a provision—they would spit upon it. Attempt to starve them into compliance, by prohibiting dues and fees—their congregations would, for a time, make to them larger payments, and more readily. It would be represented as an attempt to bribe the sheep-dogs in order to make havoc of the flock. Nothing could more effectually cement the union of the priest and the people against the law.

But if the provision were offered as a part of a general system of conciliation—if it were offered in such a way as to be a mere act of bounty or of justice—if it implied no interference between the priest and his congregation, or between the bishop and the priest—if the money were issued to Government Commissioners, whose duty it should be to distribute it among those whom they had ascertained to be the Catholic officiating clergy, and each priest were simply informed that his share was at a banker's, ready to be drawn for as soon as he thought fit—we have no doubt that it would ultimately be accepted, though perhaps tardily, reluctantly, and ungraciously. And when once people's minds had become accustomed to it, the laity

would feel the blessing of the diminution of a heavy and irregular tax, and the priests that of escaping from a state of uncertainty, of dependence, and of pecuniary strife; which must interrupt their comfort, wound their self-respect, and obstruct their usefulness. Contrarily to what is commonly the case, the obligation would be much more felt than expressed.

We now come to the second question—namely, the fund from which the provision for the Catholic Church should be made. The proposal that that provision should be taken, altogether or in part, from the existing endowment of the Protestant Establishment, necessarily assumes that that endowment affords a surplus not only large, but immediately available. But as no British statesman ever will propose to interfere with the incomes of the existing Established clergy, many years must elapse before any considerable assistance could be derived from the property which they now enjoy. The provision for the Catholic clergy must not be a reversion to take effect on the deaths of the existing Protestant incumbents. It is obvious that to postpone, for the sake of a pecuniary saving, equal perhaps to the imperial revenue for *three days*, a measure once admitted to be right—once admitted to be necessary to the morality, the peace, and the prosperity of Ireland—would be an insult which not even the fiercest Orangeman would venture, or would desire, to offer.

And even if it were possible to take from the Protestant endowment a large and immediately available fund, the division of the endowment between the two Churches,

unless it were final, would add a new element to the dissensions of Ireland. It would throw down the endowment as a prize to be fought for by proselytism, by patronage, by exclusive dealing, by persecution; in short, by all the weapons which, in a chronic civil war, are likely to be seized by an ignorant, bigoted, and sanguinary population —a population which poverty, idleness, party-spirit, religious and national animosity, carelessness of human life, and indifference to human suffering, mark out for envenomed agitation. And on what principle could a final division be founded? On the relative numbers of Catholics and Protestants?—That proportion is constantly changing, and, what is more important, it may be made to change. In one district the Protestants, in another the Catholics, may be seduced, or frightened away, or rooted out. On property?—That is still more changeable than numbers.

But perhaps it may be said, the division should be grounded on numbers, or on property, or on a combination of both, such as they stand now; and should be declared irrevocable, however its original elements may subsequently vary.

This is what Canute did when he placed his throne at low-water mark. How is this generation to fetter the will of its successors? How is it to provide that its edicts shall be adhered to, when the circumstances which justified them are altered?

Nothing is more common than a law which, though intended to be temporary, has become permanent. Nothing is more rare than a law which, professing to be unalter-

able, has continued unaltered. The reason is clear. In ordinary cases legislators take their chance. They enact what they think convenient for the time, leaving their successors to modify or repeal it. But when an institution is the result of a compromise, the party that has been on the defensive naturally fears that the concession which it makes may be followed by further demands. In the hope of preventing, or at least delaying, such demands, or of providing a further argument to oppose to them, it requires that the existing arrangement shall be declared to be final. And the other side never objects, for it well knows that such a proviso is mere waste-paper; and that it is not on its presence or absence, but on the interests of the two parties, and on their relative strength, that the durability of the arrangement depends. Between individuals, or between federal states, where the sanction of a court of justice or of a diet can be invoked, such stipulations are efficient. But their insertion, when there is no superior by whom they can be enforced, is merely an evidence that the parties to the compromise do not believe in its permanence. Like the engagements at the beginning of every treaty, that peace and friendship between the two contracting powers shall be eternal, instead of affording strength, they are mere indications of weakness.

If the Catholic clergy are to receive any portion of the Protestant endowment, we believe that the best course—the course best not only for the tranquillity of Ireland, but for the safety of the Protestant Establishment—will be to give to them the whole, and to let the Protestant Establishment depend altogether on the State. But even if such

a measure could be carried, which we are convinced that it could not be, it is open to the decisive objection, that a provision for the Irish Catholic clergy, arising from land in Ireland, would not tend to produce the intimate union between the British Islands which is essential to the welfare of both. The object of every statesman must be that the Irish Catholics, and particularly the most influential portion of them, the priests, should feel themselves, to use Mr. O'Connell's words, 'subjects out-and-out, as the Protestants are.' This feeling will be produced by a provision derived from the imperial revenue, and can be produced by nothing else.

On the third question—the extent to which the Catholic endowment should be carried—if it were possible to relieve the people from the whole burden, and to give to the priesthood complete independence, we should prefer it. But, even in England, the Established Church receives, from fees, offerings, pew-rents, rates voted in vestry, and subscriptions—all of them sources of income independent of its endowment—more than one million and a half a-year. If one of the richest ecclesiastical endowments which the world has ever seen requires a large voluntary aid, it can scarcely be expected that any which we can give to the Irish Catholic Church will in itself be sufficient. We propose to make a provision which shall remedy its most pressing wants, and protect its ministers from the temptations of dependence; but on no occasion to prohibit, and in some important matters to facilitate, its receiving voluntary assistance.

The three wants of the Catholic population, as Catholics,

are—churches for the laity, and residences and stipends for the priests. They possess, indeed, according to the return made by the Commissioners of Public Instruction, 2,105 places of worship; but, even if these 2,105 buildings were as capacious as the average of English churches, they would be insufficient for six-and-a-half millions of people, distributed in unequal proportions over a large country. This is obvious when we compare the Catholic church-room with the 1,534 places of worship provided for only 850,000 Protestant Episcopalians, or even with the 855 chapels of the 660,000 Dissenters. But, in fact, a large number of what are called Catholic chapels are places affording shelter only to the priest and those immediately around him, while part of the congregation are kneeling outside in the rain or the snow. And even these chapels, miserable and inadequate as they are, the Catholic Church holds by no certain tenure. The churches, the cathedrals, the glebes, the tithes, and the estates of the Established Church are vested in corporations. The property of the Catholic Church is not recognised by law as public property. It is obliged, therefore, to be left in the hands of individuals, at the risk of loss by accident or fraud, and subject to the constant expense of the appointment and reappointment of trustees. As to residences appropriated to the priests, there are none. They must hire houses or lodgings, and, to a great extent, are domesticated in the farmers' families—a domestication always objectionable, and peculiarly so when the population is imperfectly civilised, and the priest in many respects resembles them.

The first remedy is obviously the removal of mere legal obstacles. For this purpose we recommend the creation of a Corporation aggregate, to be depositaries of the legal estate in the public property of the Irish Catholic Church, and to be empowered to acquire—by purchase, donation, devise, or bequest—lands or money for Catholic ecclesiastical purposes. If the express co-operation of the Catholic clergy could be previously obtained—of which we have already stated our disbelief—this Corporation might be constituted principally of the Catholic prelates. As things are, it must be selected from the most eminent of the Catholic laity. We further recommend that a sum be annually issued to this Corporation, to be employed in the purchase of sites; in the erection, enlargement, and repair of Catholic chapels; in the purchase of glebes and erection of glebe-houses; and in providing the requisites for the celebration of divine service—in fact, to be employed for the purposes for which church-rates are raised in England.

In its disposal of the fund, the Commissioners would probably follow the plan of which experience has shown the economy. They would proportion their grants to the sums contributed from other sources. In England, indeed, this plan is subject to the inconvenience, that the richest district receives the most assistance, and the poorest the least. But in Ireland there are not the congestions of wealth which belong to tranquil countries. A dense population will, indeed, be able to contribute more than a scattered one; but, in the same proportion, it will want more accommodation. Considering the importance of the

object, the strong religious feelings of the Irish, and the sympathy which the destitution of their Church excites throughout the Catholic world, we have no doubt that large sums would be voluntarily contributed. If 50,000*l.* a year were issued to the Commissioners, we believe that nearly as much, including the value of lands and buildings, might be expected from the public, especially from testamentary dispositions, or donations to take effect after the donor's death.

The provisions of the 59 Geo. III. c. 134, and of the 3 Geo. IV. c. 72, authorising the drawback of duties on materials used in building, rebuilding, or enlarging the churches of the Establishment, must of course be extended to Catholic chapels. The amount of this drawback in England alone amounted, during the last twenty years, to 244,196*l.* 13*s.* 2*d.*—a sum more than equal to the expense of building 250 chapels, affording the modest accommodation with which the Irish Catholics are contented.

It is a striking instance of the indifference with which their spiritual wants have been treated, that this trifling favour—if the not exacting a tax from the hardly-wrung efforts to support their religion, made by the poorest part of a poor nation, can be called a favour—should now for the first time be suggested. To have refused it would indeed have been bigotry; but not to have thought of it was much worse—it was negligence originating in contempt.

We believe that if two-thirds of the aggregate amount

thus contributed by the State, and by individuals, for building purposes, were devoted to chapels, and the remainder to residences, sufficient church accommodation, and glebe-houses sufficient for the small wants of an unmarried priesthood, might be provided. The keeping-up the chapels, however, and the supply of the requisites for divine service, would require a considerable expense—an expense likely to receive much less voluntary aid. In England, though the repairs of the parsonage and of the chancel fall on the rector, more than 500,000*l.* is annually raised by church-rates; and yet the part of the population which adheres to the Established Church can scarcely exceed thirteen millions. The annual expenditure of the Irish Ecclesiastical Commission, for similar purposes, for the benefit of the 850,000 Protestants, amounts to more than 75,000*l.* a year; and is stated by the Commissioners to be grossly inadequate. We doubt, therefore, whether the wants of 6,500,000 Irish Catholics can be adequately supplied, unless the State will continue to assist them, to the extent of at least 50,000*l.* a year; being one-tenth of the church-rates of England, and not two-thirds of what is received from it for similar purposes by the Protestant Episcopalians of Ireland.

Let us now consider the amount of provision requisite for the personal wants of the Catholic clergy.

In 1825, Lord Francis Egerton estimated the parochial clergy at 2,000, and the dignitaries at 56—that is to say, 1,000 parish priests, 1,000 coadjutors or curates, 4 archbishops, 22 bishops, and 30 deans; and this estimate

appears to have been nearly accurate, as the Report of the Commissioners of Public Instruction states the whole number of the Catholic clergy to be 2,074. He proposed to give annually to each archbishop 1,500*l.*, to each bishop 1,000*l.*, and to each dean 300*l.*; and to divide the parochial clergy into three classes—to allot to 200 of them 200*l.* a year each; to 800, 120*l.* a year; and to the remaining 1,000, 60*l.* a year each, making a total expense of 233,000*l.* a year. As respects the dignitaries, such a provision would much exceed their present incomes. Bishop Doyle, in 1825, said that his income was less than 500*l.* a year. It seems, however, to have been inadequate. 'At the same time,' he added, 'I may be permitted to state that the income of a bishop is charged with very heavy incumbrances, considering its quantity; for I am obliged to contribute to every charitable institution—to assist in the erecting and supporting of schools—to feed a considerable number of the poor; in fact, if it were not for some help I occasionally receive from friends, I could not afford to keep a horse or a servant.' * Dr. Kelly, the Catholic Archbishop of Tuam, states that his revenues never had amounted to 700*l.* in a year, and, on an average, did not exceed 500*l.*; † yet each of these prelates held, besides his diocese, two benefices.

When we consider the incumbrances (to use Bishop Doyle's words) to which all ecclesiastical revenues, and peculiarly those of an Irish Catholic ecclesiastic, are subject; when we consider the importance of attracting into

* Commons' Report (1825), p. 185. † Ibid. p. 246.

the Catholic Church some persons of better education and higher connections than those by whom it is now filled; and, lastly, when we recollect that the incomes of the Catholic dignitaries will always be compared with those enjoyed by the Protestants,—in the face of all these considerations, we do not think Lord Francis Egerton's proposition excessive. The whole amount—the whole provision for the dignitaries of a Church, whose members exceed half the number of the members of the Established Church in England—is not much greater than the revenue of the Archbishop of Canterbury. It may be observed that the scale appears to have been suggested by Mr. O'Connell, who recommended from 800*l.* to 1,000*l.* a year to be the stipend of a bishop, and from 1,400*l.* to 1,500*l.* to be that of an archbishop.

The amount of the provision proposed by Lord Francis Egerton for the parochial clergy appears also to have been suggested by Mr. O'Connell. The aggregate is 196,000*l.* a year, founded on the assumption that 1,000 parish priests, and 1,000 coadjutors or curates, are to be provided for; which gives, within a fraction, 200*l.* a year to be divided between each parish priest and his coadjutor—200*l.* a year being the sum which Mr. O'Connell stated to cover the expense of both priest and curate.* Bishop Doyle's estimate is nearly the same; and, being founded on examination, is more to be relied on. He stated (in 1825) that there were forty-four parishes in his diocese; that in four of them the priest's income amounted to 400*l.* a year;

* Commons' Report (1825), p. 83.

that in fourteen others it somewhat exceeded 200*l.*, and in all the rest varied between 200*l.* and 100*l.** This would give about 190*l.* per parish, to be divided between the priest and coadjutor; and his was a poor diocese.

How much of this income arises from annual, and how much from occasional payments, it is difficult to say. In one case Bishop Doyle estimates the occasional payments at one-fourth. The Catholic bishops, priests, and laymen, who were examined in 1825, all stated their belief, that if a provision were given by the State, the annual payments would be nearly discontinued, and the occasional ones diminished in amount. We think it certain that, eventually, the aggregate reduction would not be less than three-fourths. If, then, Lord Francis Egerton's scale were adopted, the average income of each benefice would be about 250*l.* a year, of which 200*l.* would be contributed by the State, and 50*l.* by the people. This sum, divided between the priest and his coadjutor—each of whom, it must be recollected, must keep a horse; for the calls on a Catholic clergyman are too numerous, and the parishes too extensive, to allow him to go to his duties on foot—would afford a decent maintenance, but certainly not an excessive one. The priest would remain dependent on his congregation for superfluities, and for money to be expended in charity, but would not be driven by necessity to subservience or to extortion; and the peasantry would be relieved from a charge which is still more injurious from its uncertainty than from its amount.

* Commons' Report (1825), p. 186.

The whole expense of what we have recommended—including the expenses of management, and also including not only the usual but an increased grant to Maynooth College—would not exceed 320,000*l.* a year, a sum scarcely exceeding three-fifths of the church-rates annually raised in England, and extorted from Catholics and from Dissenters as well as from Churchmen.

But we must express, as strongly as words can express it, our conviction, that the proposed provision must be made—not by a revocable grant, not by an annual vote involving an annual discussion, an annual effusion of bigotry and spite, an annual publication of mischievous falsehoods and still more mischievous truths—but by one perfect donation. The Catholics form so insignificant a minority, both in the Commons and in the Lords, that they cannot be expected to trust any arrangement which a single vote by either house might interrupt. Whether the object be to obliterate the insult or to remove the injury of which we have been guilty towards the Catholic laity, or to raise the character and increase the usefulness of the priesthood, the means must be as permanent as we wish the effects to be. We recommend that a three per cent., or (to mark more clearly its durability) a two per cent. stock, of which the dividends should equal the intended provision, be created, and placed in the name of the Commissioners. The Irish Church will then have the best security which exists in Europe—the security possessed by the public creditor of Great Britain.

We have already stated our wish to attract into the

ranks of the Catholic clergy, men of a higher station than that of those by whom it is now supplied. We agree with Mr. O'Connell that it is dangerous that the priests should be 'so much under the influence of very low people, as they necessarily are, when all their relations are in the very lowest stage of society.'* We do not expect indeed that, under any circumstances, many of the gentry will become priests. No man, certainly no young man—unless he be an enthusiast, or be tempted by the immediate prospect of some considerable ecclesiastical dignity, or be in such a station as to feel that the priesthood will raise him into a decidedly superior rank, or have an invincible dislike to manual labour—will take orders subject to the restrictions and observances which Catholic orders impose. In no part of Europe do the working Catholic clergy belong to the highest classes.

But it is to be wished that they should not belong to the lowest. It is to be wished that they should not enter on their mission—that they should not become the guides, the directors, and, in many respects, the absolute masters of the consciences of their flocks—with no experience and no associations but those of the cabin and the seminary. An endowment will do much. The sons of the greater farmers and shopkeepers, and the middle classes generally—when the progress of improvement shall have given to Ireland middle classes—will be ready to enter into a profession which will offer the certainty of a decent maintenance, and the prospect of considerable and alluring prizes. This

* Commons' Report (1825), p. 125.

will be a great advantage. What a boy sees and hears at home—the feelings and habits which he acquires before he quits his father's house—form the most important elements in his character; and, within limits which do not apply to the present subject, the higher the station of the parent the better is this parental education.

But we are anxious to improve not only the domestic but the collegiate education of those who are designed for the Catholic ministry. At present the only public institutions open to them are Trinity College, Dublin, where they may take degrees, but cannot be admitted on the foundation; and Maynooth, where about 250 pupils receive nearly gratuitous maintenance and instruction, and about 200 more pay about 21*l.* a year apiece, being somewhat below the cost of their maintenance. The private seminaries are more numerous. The largest, we believe, is at Carlow; where, in 1825, from sixty to eighty candidates for the priesthood were lodged and boarded at an expense (as far as we can infer it from Bishop Doyle's evidence) of 25 guineas a year apiece, but paid nothing specifically for instruction.

We do not recommend, however, that any additional facilities be given to eleemosynary clerical education. Such an education has a double tendency to degrade the clerical character. In the first place, the introduction of a large proportion of men of the humblest class throws, especially among so aristocratic a body as the Irish gentry, a general discredit on the whole profession; and, secondly, the additional number of competitors renders the profes-

sion less attractive to those who have any other prospects, by lessening the chance of advancement. When the expense of the English Universities was kept so low, and the supply of foundations, in proportion to the establishment, was so great that a large proportion of the English clergy were gratuitously educated, they generally belonged to the lower orders. Notwithstanding the high prizes of the English Establishment, the gentry would not enter a profession in which the majority were of inferior birth. The clergy of the Church of England have risen to their present rank—the highest which any clergy, as a body, has ever held in Europe—only since the provisions for their eleemosynary education have become unimportant.

But we recommend that Maynooth be incorporated, be allowed to grant degrees, be allowed to take money and lands by donation, devise, or bequest; and that the present parsimonious annual grant of 8,928*l.* be augmented by a sum specifically appropriated to the increase of the salaries of the officers, who are now absurdly underpaid; to the purchase and keeping-up of a good library, and proper instruments and collections for the study of the physical sciences; to prizes for compositions, which should be printed as well as recited; and—what is of more importance—to the erection of rooms for a new class of students, to be admitted on such terms as may render their residence profitable to the establishment.

At present, the Catholic clergy are almost excluded from the society of the gentry, and the exclusion rankles in their minds. They probably attribute it to religious antipathy.

But before Maynooth and the other Irish seminaries were instituted, when the priests were educated abroad, and possessed the knowledge and the manners of the higher classes, they lived with them familiarly. It is impossible to force men into a society for which they are unfit; and it is not easy to exclude them from one in which they have the power of pleasing. If Maynooth were raised to the rank of an University—if free scope were given to all those who might wish to be its benefactors—if its professorships were made objects of ambition, and the means of receiving students of a better order were secured, and the Irish Catholic Church rendered a more eligible profession, we have no doubt that, in a short time, a considerable portion of its members would belong to a higher class than that which now supplies them, and would form, in the social chain, the link of which Mr. O'Connell, though with apparent reluctance, admitted the utility and the want.*

The measures which we have proposed would remove the injury of which the Irish Catholics, as Catholics, have to complain; but they would not even palliate the insult. The Protestant Church would remain a memorial that Ireland is not a part of the United Empire, but a dependent province—a province in which one of the most important institutions is mismanaged, and a large portion of the national property is wasted, with an insolent carelessness, of which no domestic legislature—we may say no domestic tyrant—could be guilty. The details of the Report of the Commissioners of Public Instruction in

* Commons' Report (1825), p. 125.

Ireland show a capricious misdistribution of the existing ecclesiastical endowment, more resembling the freaks of madness than the acts of legislators. We copy those relating to the province of Cashel:—

| Benefices. | Roman Catholics. | Established Church. | Churches. | Clergy of the Establishment. |
|---|---|---|---|---|
| Archdeaconry of Cashel | 4,767 | 158 | 1 | 2 One resident |
| Athassel | 7,375 | 215 | 1 | 1 Resident |
| Ballingarry | 6,048 | 136 | 1 | 2 One resident |
| Ballintemple | 4,597 | 231 | 1 | 1 Resident |
| Ballymurreen | 1,242 | 56 | 0 | 2 Non-resident |
| Ballysheehan | 3,117 | 75 | 0 | 1 Non-resident |
| Brickeendown | 421 | 0 | 0 | 1 Non-resident |
| Cahercorny | 1,593 | 15 | 1 | 1 Resident |
| Castletown | 1,500 | 9 | 0 | 2 Non-resident |
| Clogher | 5,612 | 30 | 0 | 4 Non-resident |
| Clonbeg | 5,695 | 159 | 1 | 1 Resident |
| Clonoulty | 3,729 | 60 | 1 | 1 Resident |
| The Deanery of Cashel | 12,906 | 542 | 1 | 2 One resident |
| Erry | 756 | 55 | 0 | 1 Non-resident |
| Fennor | 2,121 | 67 | 1 | 1 Resident |
| Fertiana | 1,229 | 0 | 0 | 2 Non-resident |
| Fethard | 9,977 | 408 | 1 | 2 Resident |
| Fithmore | 2,077 | 78 | 1 | 1 Resident |
| Geal | 729 | 14 | 0 | 2 Non-resident |
| Glankeen | 6,807 | 124 | 1 | 2 Resident |
| Hoare Abbey | 496 | 10 | 0 | 2 Non-resident |
| Killenaule | 8,401 | 343 | 1 | 4 Two resident |
| Kilmore | 1,080 | 3 | 0 | 1 Non-resident |
| Kilvemnon | 4,692 | 75 | 1 | 1 Resident |
| Knockgraffon | 3,706 | 96 | 1 | 1 Resident |
| Loughmoe | 3,014 | 14 | 0 | 2 One resident |
| Mogorban | 1,243 | 115 | 1 | 1 Resident |
| Mealiffe | 3,028 | 53 | 1 | 1 Resident |
| Moyne | 2,482 | 63 | 1 | 1 Resident |
| Newchapel | 1,593 | 31 | 1 | 1 Resident |
| Redcity | 887 | 20 | 0 | 2 Non-resident |
| St. John's, Newport | 11,933 | 558 | 2 | 3 Resident |
| Shronell | 1,018 | 32 | 1 | 1 Resident |
| Templemore | 9,241 | 710 | 3 | 2 Resident |
| Templeneiry | 9,605 | 126 | 1 | 3 One resident |
| Templeree | 1,480 | 9 | 0 | 1 Non-resident |
| Templetouhy | 4,388 | 86 | 1 | 1 Resident |
| Thurles | 12,155 | 294 | 1 | 2 One resident |

| Benefices. | Roman Catholics. | Established Church. | Churches. | Clergy of the Establishment. |
|---|---|---|---|---|
| Tipperary . . . | 12,361 | 630 | 1 | 2 Resident |
| Treasurorship of Cashel Cathedral . . | 7,775 | 292 | 1 | 2 One resident |
| Ardmayle . . . | 1,976 | 37 | 1 | 1 Resident |
| Holycross . . . | 3,224 | 113 | 1 | 1 Resident |
| Ballycahill . . . | 1,904 | 9 | 0 | 1 Non-resident |
| Boytonrath . . . | 344 | 4 | 0 | 1 Non-resident |
| Coolmundry . . | 393 | 6 | 0 | 1 Non-resident |
| Killeenasteena . . | 212 | 0 | 0 | 1 Non-resident |
| Kilteynan . . . | 1,267 | 12 | 0 | 1 Non-resident |
| Templeontragh . . | 2,771 | 2 | 0 | 1 Non-resident |
| Kilmicklin . . . | 173 | 0 | 0 | 0 |
| Templebeg . . . | 1,116 | 3 | 0 | 0 |
| | 196,256 | 6,178 | 32 | 74 { 37 Resident 37 Non-resident |

That a district containing 196,256 Catholics and 6,178 Protestants, or more than thirty Catholics to one Protestant, should be divided, for the exclusive benefit of less than one-thirtieth part of the population, into 50 benefices, provided with only 32 churches, but affording incomes to 74 clergymen, leaving the 196,256 Catholics without any spiritual instruction, except that which they provide for themselves, is an insult to the Catholic population such as a dominant minority never before dared to inflict on the bulk of a people.

It is obvious, however, that this misdistribution was not the intentional act of any Government. The statesmen who gave over to Protestant incumbents the benefices into which they found Ireland divided, assumed, and probably believed, that all the Irish either were Protestants, or would speedily become so. And the events which they had

witnessed in England, indeed throughout Europe, seemed to warrant such a belief. The folly and the wickedness rest with those who, when they found that Ireland, instead of becoming Protestant, was becoming every year more and more Catholic, obstinately maintained the arrangements which had been made on the opposite supposition. Our fathers were guilty of this folly and of this wickedness; but, from the weakness of those whom they oppressed and insulted, they escaped its punishment. If the present generation persist in it, they can hardly hope for the same impunity.

It appears to us, that the first thing to be done is to substitute, as the principle of the religious instruction of the Protestants in Ireland, the Congregational for the Territorial system. By the expression 'Territorial system,' we mean that under which a whole country is divided into districts, each possessing a minister endowed with a portion of its ecclesiastical revenues, whatever be their amount, and bound to afford his services to its inhabitants, whatever be their number—whether that number be so large as to force him to employ one or more curates, or so small as to make his duties almost a sinecure. By 'Congregational system,' we mean that under which, not the territory, but the number of members of a given Church is divided into cures, to each of which a minister is appointed, with an endowment proportioned to the real demand for his services. The Territorial system is a natural one, where the whole population which adopts it professes the same form of religion; and where the endowment, arising from

land, is, in fact, an expense to no one, but is a mere substitution of a clerical for a lay landlord—the substitution of a person bound to perform certain services for one legally subject to no duties whatever. Even in such a country, however, the Territorial system, if persisted in without material change for centuries, must in time produce great inconvenience.

Of the 15,535 parishes of England and Wales, there are 1,907, each with a population of less than 20 families; 6,681 (including the 1,907), each with a population of less than 60 families; 363 have each a population of more than 10,000 persons, but less than 50,000; and 10 have each a population exceeding 50,000 persons. To a very small degree this has been remedied, by the consolidation of very small and the division of very extensive cures. But it is generally true, that a large majority of parishes have too small a population to fill adequately the time of a conscientious minister; and that a great number are so populous that the most energetic clergyman, assisted by all the curates whom his endowment will allow him to employ, cannot even attempt to attend to the wants, or even to know the names, of the majority of his parishioners. These inconveniences are, indeed, augmented by the nature of the endowment which we have adopted, consisting almost exclusively of a revenue derived from agricultural produce. As soon as a parish becomes covered with houses, and therefore the seat of a large population, requiring perhaps ten or twenty times as many clergymen as before, it almost ceases to afford a revenue; and thus the means of supplying

religious instruction diminish in proportion as the want of it increases. But, under any mode of endowment, a territorial distribution of the clergy, unless frequently revised, must in time become excessive in some districts, and deficient in others.

It is obvious that these evils must be aggravated if a territorial distribution should be applied to the clergy of a minority of the inhabitants.

If Methodism were made the established religion of England, and endowed with the tithes, and a Methodist clergyman appointed to every parish, without any reference to the number of its Methodist inhabitants, it is obvious that a great number of the benefices would be sinecures. Such a supposition may appear absurd—it certainly could not happen unless England had previously become a province of some Methodistic empire. But the example of Ireland is a proof that, under such circumstances, it could happen; for (changing only the word Methodism into Church of England) such is precisely the treatment which we have inflicted on Ireland.

Suppose now that England became sufficiently strong to demand that the provision for the Methodist Church should be reduced to the real wants of the members of that Church. The natural conduct would be, to abandon the Territorial for the Congregational system. To divide England into cures, proportioned principally to the numbers of the Methodist population—we say principally, because even the Congregational system must have some reference to territory—1,500 individuals, or 300 families,

inhabiting a small parish, might be attended to by one minister; whereas the same number, scattered over a wide district, especially if separated by natural obstacles, such as mountains or streams, might require four or five.

Such a plan would not imply that the salaries of all the clergy should be equal, or even their duties. It would only imply that salary should be always connected with duty; in short, that the previous system should be reversed—that, instead of the benefice being considered as the principal, and the duty the accessory, the first thing enquired into should be the amount of service required, the next the means of remunerating it.

We have said that this would be the natural conduct, because it is the conduct which, with one single exception, has been adopted for every Church whose tenets have been embraced by only a minority of the people. It is in this manner that the clergy of all the different classes of Dissenters in England, of the Episcopalians in Scotland, of the Presbyterians in Ireland, of the Protestants in the Catholic portions of Europe, and of the Catholics in the Protestant portions, are provided for. In the whole history of the world, Ireland affords a solitary instance in which the Territorial system has been persisted in as the provision for the clergy of a minority; and the wisdom of the attempt may be inferred from its results.

We say *persisted* in, because Ireland is not the only country in which the experiment has been made. The Stuarts endeavoured to treat Scotland in the same way. They gave the benefices into which they found the country

divided, to an Episcopalian clergy; and if Scotland had not been strong enough to throw off the yoke, Sir Robert Peel would probably, at this instant, have been talking of the United Church of England, Scotland, and Ireland, and denouncing as sacrilege any interference with the sinecures of the diocese of St. Andrews.

What we propose, then, is that the system which has been adopted with respect to the Church of a minority in every country in the civilised world, be now at last extended to the Protestant Church of Ireland; and that the Congregational system be substituted for the Territorial.

Such is the carelessness of the British public for Irish matters, that many of our readers will be surprised to be told that, eight years ago, this change was proposed in Parliament, by a member of the present Government; that it was approved by the principal members of the present Opposition; and that, as far as can be inferred from the debate, it would have passed the House of Commons, if Sir Robert Peel, without disapproving the principle, had not objected to the time at which it was introduced.

It will be recollected that Lord Morpeth's Tithe Bill of 1835, nearly the first measure of the Melbourne Administration, contained clauses sequestering, on vacancy, all benefices not containing fifty Protestant Episcopalians, and vesting the revenues in the Ecclesiastical Commissioners. On the bringing-up of the report on this Bill, on August 7, 1835, Mr. Bingham Baring moved the insertion of some clauses which are to be found in the House of Commons' papers of July 1835 (O—84). These clauses

did not deal with the sequestered benefices, but as to all others provided—

'That as they became vacant, they and all their emoluments should vest in the Ecclesiastical Commissioners, and form an Endowment Fund.

'That the Ecclesiastical Commissioners should have power, from time to time, to alter the limits of benefices (the consent of the incumbent being obtained if the benefice were full), and to endow them from the Endowment Fund.

'That the altered or newly-created benefices should be termed vicarages, and be in the patronage of the bishop; or, if in the dioceses of more than one bishop, in the patronage of such one of those bishops as the Commissioners should appoint.*

'And, lastly, that the Commissioners should purchase the advowsons which are private property, and be empowered to borrow for that purpose on the security of the Endowment Fund.'

The debate is ill reported—better in Hansard's Debates than anywhere else, but even there very briefly. Every speaker approved of the principle. Lord Morpeth apologised for its omission in his own Bill, only by the probability that the extensiveness of the change would have provoked opposition. Mr. Spring-Rice was ready to adopt the clauses at once, and to adopt them as a duty to the Protestants. Lord John Russell expressed so decided a

* The only lay patron to be retained was Trinity College, which was to have new vicarages assigned to it.

concurrence, that Sir Robert Peel got alarmed, and asked, 'Would the noble lord, at this late period of the session, and when he had not even read the clauses, press the discussion of this important question?'* and the result was, that Lord John said, that though he was glad that the clauses had been brought forward, he thought that a better opportunity would arrive for effecting their object. The measure was admitted to be just, to be beneficial, to be necessary; but it was found to be important, and on that ground, and on that ground only, it was rejected.

It is difficult to avoid the painful conclusion, that the excellence of the proposal was the real motive of Sir Robert Peel's opposition.* The plea that he had not had time to consider it was obviously futile. The notice of motion had been in the book for weeks; and no one can believe that so material a step could have been taken by one of his most accomplished followers, the son of one of the members of his Cabinet, without his privity, we might almost say without his concurrence. But he felt that it would improve a Bill which he had resolved that the House of Lords should throw out; and to this miserable party-feeling he sacrificed, according to his custom, the utility and safety of the Irish Protestant Church, and the morals and instruction of the Irish Protestant people. As for Lord John Russell, he, without doubt, believed that a better opportunity would come. He was at that time in the first months of his restoration; he had beaten down the Tory

* 'The Times' of August 8, 1835.

rebellion in a Parliament of their own choosing, and could look forward to an indefinite duration of power.

The opportunity never came; and this is one of the many instances which prove that in politics, as in war, nothing should be left for to-morrow that can be done to-day. If Mr. Baring's resolutions had been incorporated in the Tithe Bill of 1835, they would probably have passed in that of 1838. By this time they would have been nearly six years in operation. In that interval, a fourth of the Irish benefices have become vacant, and probably another fourth might have been remodelled, with the assent of the incumbents. By this time, half the anomalies of the Irish Church—half of what Lord Morpeth denounced as 'livings without duties, clergy without flocks, and pay without work, the worst gains of the sinecurist kept up on the worst principles of the bigot'—might have disappeared. *Diis aliter visum est.*

Something more, however, must be done, before we arrive at what the Whig leaders have boldly and truly declared to be essential—the equality of the two religions. The liability of every cultivated acre in Ireland to contribute towards the support of the Church of the Protestant minority, is necessarily felt by the Catholic majority as a badge of subjugation. That the land belongs chiefly to the Protestants is not a defence, scarcely a palliation. In the first place, though the land may belong to the Protestant landlord, the tithe does not. It is not his, it never was his, and—unless he obtain it by purchase or by robbery—it never will be his. It is a portion of the public

property, which no domestic legislature would employ as it is now employed. And, in the second place, the disproportion between Protestant and Catholic land is an anomaly which is diminishing every year, and which everyone must wish to see extinct; it is the mischievous result, and the dangerous memorial, of British spoliation and oppression. It is monstrous that we should attempt to profit by our own wrong, and plead as a justification a state of things which we ought to be eager to remedy, and almost ashamed to confess.

If we look at the history of the Irish tithe question, from its commencement down to the Act which created the tithe rent charge in 1838, we shall find that the complete redemption of tithes, and the substitution of a new and totally different fund as an endowment for the Protestant Irish Church, have been supported by every party, and, with only one exception, formed part of every measure. The Committee of the House of Commons, in 1832, recommended that the State should purchase the rights of the clergy, should become the proprietor of the tithe rent charge, and should sell it to the landowners on the principle on which the land-tax is redeemed in England. Of the three Bills which Mr. Stanley,* as Irish Secretary, introduced in pursuance of the recommendations of this Committee, the third, which he described as the most important, provided for the redemption, by the landlords, of tithe-composition at sixteen years' purchase, and gave a further power of purchase to the State. With the usual fate of Irish measures, this Bill was allowed to stand over

* The present Earl of Derby.—Ed.

till the next session. In the next session, Mr. Stanley ceased to be Secretary for Ireland, and the Redemption Bill lay untouched. In 1834 it was resumed. Mr. Littleton, Mr. Stanley's successor, brought in a Bill making the tithe-composition redeemable at prices varying, according to the value of land in each county, from fourteen years' purchase to twenty. In the debate, Mr. Stanley and Sir Robert Peel dwelt, in words for which we wish that we had room, on the necessity of complete redemption. Mr. Stanley referred to a letter from himself to Lord Grey in 1831, in which that necessity was urged. Sir Robert Peel said that redemption alone could give peace, and, as usual, supported his reasoning by a long string of authorities. The Bill was materially altered during that stormy session; and before it passed the House of Commons, a clause was introduced, reducing the tithe-composition by forty per cent. This clause occasioned its rejection in the Lords.

In 1835, Sir Henry Hardinge, as Irish Secretary in Sir Robert Peel's Administration, proposed and carried a resolution preparatory to an Irish Tithe Bill. That resolution was, 'That composition for tithes should be abolished, in consideration of a rent charge of 75*l.* for every 100*l.* of composition; That such rent charge should be redeemable; and, That the redemption-money should be *invested in land or otherwise*, for the benefit of the persons entitled to such composition.' About three weeks after this resolution had been agreed to by the House of Commons, the Administration was dissolved, and with it perished almost the only good measure of the hundred days.

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Lord Morpeth's Bill of 1835 was again a Redemption Bill; and, as a Redemption Bill, it was passed by the House of Commons, and would have been passed by the House of Lords, if it had not contained the celebrated clauses appropriating to general education any surplus of the Protestant endowment.

The unsuccessful proposal made by Lord Morpeth in 1836, and repeated by him in 1837, was the exception to which we have alluded, and was the only measure which did not contain clauses for redemption; and this was one of the principal objections dwelt on by Lord Stanley in 1836, and one of the most material points in which his rival Bill differed from the ministerial measure.

Even the Act of 1838 was founded on Resolutions agreed to by the House of Commons, which would have separated the Protestant Church from the land of Ireland. These resolutions were, in substance—That the tithe-composition should be commuted for a rent charge of seventy per cent., charged on the owner of the first estate of inheritance; That it should be collected by the Government, and applied to certain local purposes, and to education, and the surplus form part of the Consolidated Fund; That a sum equal to the rent charge should be paid out of the Consolidated Fund to the Ecclesiastical Commissioners, to be by them paid over to the clergy; but that the State should have power to redeem this payment, by paying to the Commissioners a sum equal to sixteen years' purchase of the original composition, to be by them invested and managed for the benefit of the clergy; and, That provision should

be made for the regulation of ecclesiastical duties, and the better distribution of ecclesiastical revenues in Ireland.

Had these Resolutions been carried out, the tithes would have become a mere land-tax, distinguished from the county cess merely by being a charge on the owner instead of on the occupier. The parochial clergy of Ireland would have been maintained out of the Consolidated Fund until their revenues were purchased by the State; and then out of the funds managed for their benefit by the Ecclesiastical Commissioners, and protected from jealousy and spoliation by being merged in the general mass of national and individual property. And, finally, the new distribution of duties and revenues would have made their revenues correspond with their duties, and their duties with the real wants of the Irish Protestants.

Mr. O'Connell was well aware of the importance of these Resolutions. 'The real question,' he said, 'is, shall the people of Ireland be amalgamated with the people of England? Refuse to receive us into that amalgamation, and abide the consequences!' *

But the evil genius of Ireland was awake. Sir Robert Peel, who in 1834 declared that nothing but the complete redemption of tithes would give peace to Ireland—who in 1835 allowed redemption at only fifteen years' purchase, and required the tithe rent charge, if not redeemed within three years, to be sold in the market—now saw 'that there were great difficulties with respect to redemption.' He now saw that the 'proposal for investing the purchase-

* May 15, 1838.

money' was by no means 'free from embarrassment.' The governor of the majority in the House of Lords was an irresistible opponent. Nothing could pass against which he thought fit to 'hesitate dislike.' It had become absolutely necessary that a Tithe Bill should at length be carried; and the Act of 1838, therefore, was passed, with the omission of those portions which would have most contributed to the safety and to the efficiency of the Protestant Church.

What we recommend is, that the arrangement which, for nearly a quarter of a century, has been exposed to all the criticism of prejudice and party-spirit, and has not met with any stronger censure than that it is 'by no means free from embarrassment'—which has been earnestly supported by every party when in office, and by the leaders of every party when in opposition—be now at length adopted. We will not tease our readers with details, for this is not one of the measures of which the result depends on the details. Whether the Resolutions moved by Sir Henry Hardinge in 1835, or by Lord John Russell in 1838, be adopted as the basis, the principle is the same—namely, That the ecclesiastical tithe rent charge be vested in Commissioners; That, subject to existing interests, or with the consent of the incumbents, they be required to dispose of it on terms just sufficiently advantageous to insure its sale; That the usual facilities be given to raise money for the purchase, by the sale or mortgage of settled property; and, That the produce, after compensating the private owners of advowsons, be invested in the Funds, or

on real security, as a part of the endowment of the Protestant Church. The substitution of the congregational for the territorial distribution of the Protestant clergy, implies further that, subject to existing incumbencies, the glebes be also vested in Commissioners, in order that those which are not wanted may be disposed of, and the purchase-money be added to the Endowment Fund.

These measures would nearly complete the separation of the Protestant Establishment from the land of Ireland, and from what was once the Catholic endowment. It would retain only the glebes of the remodelled benefices, and the lands of the Archbishops, Bishops, and Deans and Chapters. With the first of these, of course, we would not interfere; but the second offers the subject of a reform, remarkable for its facility, and for its immediate and unmixed utility.

These lands are generally let, like cathedral property in England, at nearly nominal rents, on leases for twenty-one years, renewable on payment of a fine. In England, however, the renewal takes place only at fixed periods. A Bishop of Rochester once adopted the system of renewing all the leases of his episcopal lands, and repeating that renewal every year, so that his successor necessarily found the whole property in lease for twenty years. The Court of Chancery held this to be fraudulent, set aside every lease, and obliged the representatives of the Bishop to compensate the lessees. But the conduct which the English courts stigmatised and cancelled as fraud, is the custom of the Irish dignitaries. They habitually renew

every year, receiving as a fine about one-fifth of what would be the annual rental if the property were in hand; and from this habit they cannot escape, except by the sacrifice of their revenues for twenty years. Every year, therefore, the leases of all the cathedral and chapter lands have to be surrendered and renewed. Every year there is the vexation of a new bargain, and the expense of a new lease. Sometimes, however, the Bishop, if young and strong, ventures to run his life against the lease, and refuses to renew; in the hope that, when the twenty years are expired, he may have the land in hand, and either obtain a large fine, or be able to make a lease to a trustee for himself. More frequently, the tenant is unprovided with the money, or believes that the Bishop—from his age, or from want of money, or from the probability of his being translated—may be driven to renew at less than the value, or perhaps the parties really differ in their opinions as to the value.

The necessary consequence is, insecurity and injury to both parties. The tenant does not venture to improve; for he knows that improvement may diminish his chance of renewal, and will increase his fine—and that not (as is the case with ordinary tenures) at the end of his lease, but the very next year, and for ever after. No lands are so ill-cultivated, and there are none of which the price, as compared with the annual value, is so low. The average value of fee-simple lands in Ireland is about twenty-two years' purchase; the average value of a bishop's lease is twelve. It ought, after deducting the annual fine, to be

nearly eighteen years. The difference, equal to one-third of the whole value, is a pure loss, occasioned by the trouble, expense, and insecurity of the tenure.

We recommend that, subject to the interests of existing dignitaries, or with their consent, the remainder of the cathedral lands be vested in the Ecclesiastical Commissioners, or in some other permanent Board, to be by them sold, and the produce added to the Endowment Fund. It is not a necessary part of this scheme that a new distribution among the Protestant dignitaries should take place; but when we consider the gross anomalies and absurdities of the Irish cathedrals, the discrepancies as to income and as to duties—and, with respect to the majority of the members of the Chapters, the absence of any real duty whatever—it is impossible to suppose that a different arrangement would not be made; and, whatever might be its defects, it could not but be an improvement on that which now exists.

The only relic of Protestant ascendancy would now be the presence of the Irish Bishops in the House of Lords: and if the two sects are to be put on a complete equality, either the Irish Catholic Bishops must also be admitted to that House, or the Protestant Bishops be excluded. To the first there are objections, which, whether well-founded or not, would, we believe, be found insurmountable. In theory, the Pope nominates the Catholic Bishops of Ireland; in practice, he selects one out of three candidates proposed to him by the clergy, or by a part of the clergy, of the vacant diocese; and this is a real selection. We know that cases have occurred recently in which the selected candidate was

not the candidate whom the proposers desired. Now, neither the people of England nor of Scotland, in their present state of feeling, would bear to see men sit as Peers by the Pope's nomination.

It is unnecessary to enquire as to the grounds of this feeling, or as to the means of removing it, if the other alternative, the exclusion of the Irish Protestant Bishops, be free from objection. We believe the exclusion in question to be not only free from objections, but desirable. The vote in the House of Lords, possessed by the Irish Archbishops every other year, and by the Bishops every sixth year, takes them from their dioceses, exposes them to considerable expense, makes it necessary that the income of every see should be much greater than would be otherwise required, and returns no advantage whatever. What can a man do in an assembly of which he is a member only for about twenty-five weeks every sixth year—an assembly careless, fastidious, and eminently intolerant of everything new or unusual, and of every speaker whose opinions, or social relations, or even manner, may differ from those to which it is accustomed? By the time that an Irish Bishop has learned something of the tone, and the forms, and the business of the House, his session is over, and he is succeeded by a recruit as raw as his predecessor. Something more might be expected from the Archbishops; but their absence every other year seems, as far as we can judge by the experience of about ten years, to destroy their influence.

Few men have personal qualifications superior to those enjoyed by the two present Archbishops. One is a man of

high rank, and possesses the confidence of the whole Tory party; the other enjoys a high reputation, and precisely the reputation that gives most weight—reputation for honesty and knowledge, as well as for talents; and, besides this, he is an effective speaker. But what results has either of them produced? No measure can be carried through that House, by an independent member, unless he can devote his whole attention to it; unless he can bring it forward, session by session, and gradually soften the prejudices of one side of the House, and excite the attention and interest of the other. But this is inconsistent with a mere occasional attendance. It would therefore be better that no Irish Archbishop or Bishop should, as such, vote in the House of Lords. And if a reduction of the incomes of the Protestant Bishops were the consequence, we should think it an additional advantage.

But what, it may be asked, is to be done with the surplus revenue of the Protestant Establishment? We see no reason for changing the appropriation which was proposed by the Melbourne Government—paying it over to the Consolidated Fund. If it were specifically appropriated to any other purpose—if it were given, for instance, to the Poor-law Commissioners, or to the Education Board—it would expose the institution so favoured to the hatred of the whole Protestant party in Ireland, or—what is nearly the same thing—of the violent and irrational portion of that party. It would be said to be fed with the spoils of the Church. The Consolidated Fund can never be unpopular.

At the same time, we must admit that the arrangements

which we have recommended will diminish the apparent surplus. In Ireland, land is sold for about twenty-two years' purchase, and tithe for about sixteen, and the interest on the best mortgages is about four-and-a-half per cent. We have not at present accurate information as to the revenues of the Irish Church, but, for the mere purpose of illustration, we will suppose that revenue to be 550,000*l.* a year. The sale of the property producing that revenue (principally tithe), could not be expected to produce more than twenty years' purchase, or 11,000,000*l.* This sum could not be satisfactorily invested in Great Britain, so as to produce a net revenue of more than 350,000*l.* a year. Invested on land or mortgage in Ireland, it might produce, perhaps, 475,000*l.* a year. But we should be sorry to see much of it invested in the purchase of land there. We do not wish to add to the number of great or of non-resident proprietors in that country. Nor would it be advisable to lend it on mortgages at a high rate of interest. It is important that the Protestant Church should incur no avoidable unpopularity, and should not have to sue, to eject, to distrain, or to foreclose. We think that the best investment would be picked Irish mortgages, at a rate just below the usual level—perhaps four-and-a-quarter per cent. The Church would thus obtain the best security that Ireland can give, and would come forward, as the friend of the landowner, to relieve him from more onerous creditors.

It would be absurd, however, to treat the whole difference between the sums of 550,000*l.* and 475,000*l.* as a loss, even to the Establishment. What was taken away in

income would be added in security. A man who gets the whole value of what he parts with, is not a loser because he exchanges a precarious, uncertain, and troublesome revenue, for a smaller one that is secure and regular. To sell a West Indian estate and buy a Scotch one, to sell American securities and buy English ones, is no loss, though the transaction must be followed by an immediate decrease of income. If it be wise in an individual, who has to provide for the contingencies of only twenty or thirty years, to select the investment which is the dearest because it is the safest, still more evidently is this wise on the part of an institution which looks forward to an indefinite duration. An annual risk, where the danger at the beginning is as 1 to 100, is trifling for the first year, and not great for the first ten years, but amounts to certainty in a hundred years. But while the Church could scarcely be said to be a loser, the country would be a great gainer. It would be a blessing to all the landowners of Ireland to be able to relieve themselves from a variable tax—a tax which they must pay whether they receive their rents or not. It would be a great advantage—an advantage, in fact, equivalent to an increase of the land of Ireland—that the estates of the Bishops and Chapters should not continue subject to a divided ownership, which destroys, as we have seen, nearly one-third of their value. And the sale of these estates, and the power given to incapacitated persons to sell portions of their lands to redeem the tithe rent charge on the remainder, would throw many small properties into the market, and thus tend to remedy—what we have already

stated to be the great physical evil of Ireland—the want of small proprietors.

We now come to a subject on which we expect little difference of opinion among intelligent persons—the provision to be made in Ireland for the education of the young. Among the many benefits conferred on Ireland, between 1830 and 1841, we believe the Education Board to be the greatest. We even believe that it has done more to raise and improve the people than the Repeal agitation has done to barbarise them. The general ignorance of Irish affairs which we are forced to impute to our readers, renders it necessary that we should employ a few lines in describing the constitution, duties, and powers of this Board.

Its members—at present eleven persons, of whom the Protestant and Catholic Archbishops of Dublin are the most prominent—sit by virtue of a commission from the Lord-Lieutenant. Their proceedings are governed by an admirable letter from Mr. Stanley, as Irish Secretary, dated in October 1831, which directs them to employ their funds in promoting a combined literary and a separate religious education. For this purpose they are to require from the schools, which, by accepting their assistance, submit to their influence, that on four or five days of the week, and during appointed hours, moral and literary instruction be given to all the children; the remaining one or two days of every week, and the remaining hours of every other day, being left open for the separate religious instruction of the children of each persuasion, by the teachers whom their parents may approve. The schools which they assist are to be open

to their inspection, the books used are to receive their sanction, and the masters are to be liable to be fined, suspended, or removed by their authority. They are to employ their funds in granting aid to the erection of schools, supplying them at half-price with books and other school necessaries, granting salaries to teachers, paying inspectors, editing and printing school-books, maintaining a model school in Dublin and a training-school for masters, and defraying their own contingent expenses. For these purposes, they have for some years past received an annual Parliamentary grant of 50,000*l.*

The last Report of their proceedings is dated the 21st March, 1843. At that time, 2,721 schools were under the superintendence of the Board, attended by 319,792 children; and they had undertaken to make grants to 200 more schools, to be attended by 25,703 more children—making a total of 2,921 schools, and 345,585 children. They had trained 980 teachers, they had established a model school and a normal school—that is to say, a school for training masters—in Dublin, and an agricultural school and model farm in the neighbourhood; they had created an establishment of district inspectors of schools; and they had edited a set of elementary school-books, which we have no hesitation in pronouncing the very best in the English language. Their expenditure that year was 58,500*l.*—thus divided: about 4,500*l.* for their model, normal, and agricultural schools; 10,000*l.*, contributed in aid of the building and fitting-up of schools; 30,000*l.*, in salaries and gratuities to schoolmasters; 5,000*l.* in inspection; 3,000*l.*

loss on their publications; and 6,000*l.* in establishment charges.

All this, however, we are ready to admit, is little when we compare it with the wants of the Irish population. But it is much when we consider the limited powers and funds of the Commissioners, and the bitterness, extent, and power of the opposition which they have had to encounter. It must be confessed that both Lord Grey's and Lord Melbourne's Governments managed the details of the measure, with the timidity which they constantly, perhaps unavoidably, showed when they had to meet the sectarian prejudices of the Tory majority in the Lords. It was timid to refuse them a Charter, and thus to leave them apparently the mere creatures of the Lord-Lieutenant—liable to be annulled, or altered in character or in functions, at the will of a provincial executive. The smallness of the original grant may perhaps be defended. All the previous attempts at the combined education of Protestants and Catholics had failed. They had failed, although all parties had anxiously desired and earnestly endeavoured to promote their success. It would have been presumptuous to rely with confidence on a fresh experiment, made under far more unfavourable circumstances; — an experiment of which an active and powerful party in Ireland and in England eagerly wished the failure, and which had to encounter, therefore, not merely honest prejudices, but calumny, misrepresentation, intimidation, and all the other poisoned weapons which Faction seizes when she calls herself Religion.

A Board consisting of Catholics, Protestants, Episcopalians, and Presbyterians—a Board which prohibited the use of the Bible as a common school-book during common school-hours—a Board which published extracts from the Bible, in some passages of which the Douay version was preferred to the Anglican, and to which notes were appended, acknowledging that it was a version from the Hebrew or the Greek, and acknowledging that there were various readings in the copies of the original—a Board which allowed the children of Catholic, Protestant, Episcopalian, and Presbyterian parents, to receive religious instruction each from their own clergy, and in such manner as the parents might think fit—and, what was the worst, a Board created by a Whig Government—such a Board was sure to be assailed by all that was ultra-Tory in England, by all that was Orange in Ireland, and by all that was fanatical in the British Islands.

It was objected that the Board contained members of different religious denominations—as if the members of one persuasion could have superintended a combined system, or have obtained the confidence of a population religiously divided.

It was objected that the Board deprived the clergy of the Establishment of the exclusive right of superintending the education of the people—as if that right had not been the creature of the penal laws, and had not been taken away when the penalties on Catholic schools and on Catholic teachers were repealed.

It was maintained, that permitting the Catholic clergy

to give separate instruction to Catholic children was an encouragement of Popery, and that it would be better to leave them uneducated—as if this alternative existed—as if, in three-fourths of Ireland, the alternative for the national school were not the Catholic hedge-school, with its vice, its ignorance, its superstition, and its rebellion.

It was objected that, under the rules of the Board, Catholic children might be refused access to the whole Bible —as if the denial of that access were not a rule of the Catholic Church, and necessarily incident, therefore, to the education of the children of all sincere Catholics.

It was objected, that the Scripture extracts were mutilations of Scripture—as if the Lessons of the day, the Epistles and Gospels of the Church of England, were not equally mutilations of Scripture—as if any educated parent ever placed before his child the whole set of books to which we give the collective name of *The Bible*, and expected him to construct a faith out of its contents.

Protestant owners refused sites, and then complained that schools were built in the only available spots—the yards of chapels. The Protestant tenants who should venture to assist the national schools were threatened by their landlords, the Protestant clergy were discountenanced by their Bishops, and the Protestant parishioners were rebuked by their clergy, and then landlords, bishops, and clergy proclaimed that the combined system had failed, for that the Protestants refused to support it.

The leaders of the Tory party, while in opposition, followed their usual policy: they neither attacked the

Board nor defended it, but looked on in silence, while more and more of their followers entangled themselves in irretrievable hostility to it. At length they accepted office, and the first question in Ireland was—How will they treat the Education Board? It would have been absurd to suppose that their minds were not made up. For more than two years, office had been within their grasp; and no one could believe that they had not considered and decided what should be their course on all important matters which were not liable to be affected by unforeseen events. The first session and the first recess, the second session and the second recess, passed over, and they had not yet in words declared their intentions. But their acts appear to be significant. The previous Irish Chancellor and Irish Secretary had been members of the Commission; the new Chancellor and Secretary were not. A person, now a member of a society which denounces the National Board of Education as unscriptural and anti-Protestant, was made Lord-Lieutenant. Nearly all legal and all ecclesiastical promotion was given to its virulent opponents. Everything, in short, was done which could intimidate its friends and give confidence to its enemies.

The time, however, came when the Government could no longer conceal its decision; and the decision was, that the Board must be supported. If that decision had been promulgated a year before, though the fanatical opposition might have continued, the factious one would have ceased. It has been delayed until all the waiters on

Providence—all those who look to the Government for their opinions—have been deceived into expressions of religious disapprobation and pledges of conscientious hostility, from which all will find it difficult, and many impossible, to extricate themselves. For the Government there is no escape. Neither the present Administration, nor that which is to succeed it, if it be merely prudent, can refuse to support the Education Board; or, if it really desire the welfare of Ireland, can refuse to extend its powers and its means.

What we recommend is, that the Board be incorporated, and allowed to accept, by donation, devise, or bequest, money and lands to be applied to the same purposes as the Parliamentary grant. Their present precarious state has prevented their receiving any private assistance, except two donations of 1,000*l.* each from Lord Morpeth and Mrs. Drummond, 400*l.* from an unknown lady, and some trifling sums. We further recommend that the usual powers be given to incapacitated persons to convey to them sites for schools; and that, under certain circumstances, they be enabled to purchase sites from unwilling proprietors. One of the most usual and (where property is in few hands) the most effectual modes of opposition is to refuse a site. We do not tolerate this conduct where it interferes with a railroad or a canal—a school deserves at least as much protection.

We would further recommend that they receive the annual grant, whatever it may be (it is likely to vary from year to year), which may be necessary to enable

them fully to carry out a really national system of education. It appears, by the late Census, that while there were, on June 6, 1841, 2,057,156 persons between the ages of six and fifteen, and therefore in want of education, only 502,900 were attending schools. But whatever the expense may be—even if it amount, as it probably will, to 200,000*l.*, the sum asked by the Commissioners in 1835,—it ought not to be grudged. The ignorance and folly of Ireland costs us as many millions directly in expenditure, and twice as many, indirectly, in loss of revenue, as it would cost hundreds of thousands to give to her adequate means of moral and intellectual education.

Another duty of the Legislature, as to which we expect little difference of opinion, is to repress the violence of the combined artisans in Ireland; to free industry and knowledge from the tyranny of an ignorant, rapacious, and unscrupulous minority; and to enable the workman to use his labour and skill, and the employer his capital and science, in the way which is most beneficial to themselves, and therefore to the public. The combinations in Scotland and England are, without doubt, intensely mischievous. We believe that they do more to depress our manufacturing and commercial prosperity than all foreign tariffs put together. We believe that if they continue unchecked by law or by education, they will in time destroy it; and leave Glasgow, Paisley, and Manchester seats of involuntary idleness and loathsome poverty. This calamity, however, appears still to be distant. The disease

is debilitating and growing, but has not yet destroyed our general manufacturing superiority. But in Ireland it has run its course and proved fatal. No business requiring, as all great manufacturing operations must, that many hundred workpeople should obey a single capitalist, can be carried on in Ireland. Nothing to which great division of labour is applicable can be profitably made there. A few poplins, Guinness's porter, and some linens, are therefore almost all her exports. And as the productive power of machinery, and of the division of labour, are every day advancing in Great Britain, the number of commodities which Ireland must import, because she can no longer afford to make them, is constantly increasing. It is this that occasions absenteeism to be economically injurious to Ireland. When a Scotchman goes to London or Paris, his rents go to Paisley to purchase the exportable commodities which are to answer his bills. When an Irish landlord crosses St. George's Channel, his rents follow him in the form of cattle, or oats, or some other raw produce; and a portion of the produce of Irish land, which should otherwise be consumed in Ireland, is consumed in England. If Ireland exported manufactures, she might care no more about absentees than Scotland does. If the measures which have been suggested should be adopted, and should cure the insecurity of the rural districts of Ireland, British capital would be invested in Irish land; but the great source of civilisation, manufacturing capital, would still shun a country in which, so far as respects the manufacturing population, the whole power, both legisla-

tive and executive, is in the hands of self-appointed rulers, as ignorant, as ferocious, and as despotic as the petty tyrants of Ashantee. No one knows this better than Mr. O'Connell. When he wished Ireland to prosper, no one more earnestly demanded an amendment of the combination laws.

Now, of course, he is silent.*

* The original sketch of this article contains the following character of O'Connell:—

'He has a vivid imagination, ready invention—great energy of mind and body, great industry, great practice. Intellectually, he wants comprehensiveness of mind, patience in the investigation of truth, and consequently Knowledge.

'Morally, he wants Honesty, in its two senses of veracity, and the performance of promises. He has an intense desire of power, and intense selfishness. His merits and defects unite to make him a perfect mob-orator. Until Catholic Emancipation was carried, his defects were concealed. His own interest and that of Ireland coincided, and he addressed unrefined audiences. But in the House of Commons he failed. His dishonesty, ignorance, and utter want of taste, moral and intellectual, render him, of all great speakers, the least agreeable to a British audience.

'The same faults almost excluded him from good society. His wounded vanity and ambition drove him back to Ireland. To supply the funds necessary to feed or pay his sub-agitators, he invented the Rent. To obtain a further means of power, he supported the Melbourne Administration. As a bond for his party he selected Repeal,—an object unattainable, and therefore not to be worn-out like Emancipation, and attractive to the ignorant from the vagueness of its consequences. Under the Melbourne Administration his influence decreased. The prosperity of the country increased, and the Government was known to have only a limited power, but to exercise that power for the benefit of Ireland to its utmost extent. Such a Government could not be

We shall not enter into the details of the necessary amendments. We have not room for them; and, if we had, we could only extract the essay on that subject contained in the Handloom Weavers' Report.* But we must express our deep conviction, that while the law remains what it now is, utterly inefficient for the protection of the property, the persons, or the lives of either masters or workmen, Ireland will remain almost at the bottom of the nations of Europe—without capital, without manufactures, without commerce, the miserable country of a poor half-employed population.

The length at which we have discussed the Irish questions which appear to us to be the most urgent and the most difficult, forces us to run rapidly over the remainder. On some of them, such as the Franchise and the extension of Public Works, we shall at present say nothing. They are too large to be disposed of in an article which has already extended to such a length. But there are some so simple in their elements as to admit, not indeed of

successfully attacked, and his share of the patronage was a compensation for the diminution of Rent.

'The accession of Peel opened a new field.

'1. The Government had a great majority in each house, therefore could do anything.—2. The principal members were the avowed supporters of the wrongs most complained of, and therefore *would* voluntarily do nothing.—3. Experience showed that from fear they would do everything.'

* See that report, from pp. 98 to 108 [now published in Senior's 'Historical and Philosophical Essays,' vol. ii.]—Ed.

being exhausted, but of being considered in the short space that is left to us. One of these is the Local Magistracy.

Among the errors (to use a very mild term) which disgrace the Irish policy of the present Government, one of the worst—one of those for which it is most difficult to assign a plausible motive—is their diminishing the already inadequate number of professional magistrates. When they had resolved, by their Arms Bill, to put the comfort, the safety, and the reputation of all the inhabitants of the country at the discretion of the local magistracy, they chose that very time to reduce that portion of the body in whose knowledge and impartiality the people confided.

The details of the administration of justice and police in a country may be usefully committed to the gratuitous superintendence of the resident gentry, in three dissimilar states of society. One is the feudal state, where the bulk of the land is in the hands of a small and comparatively rich aristocracy, and the central government is weak and poor. Such was the state of feudal Europe. The Barons obtained jurisdiction over their vassals because there was no one else to exercise it. Another case is, when, from the poverty of the State, and the depression of the learned professions, the central government cannot provide a sufficient number of trustworthy persons. We believe this to be the case in many parts of the Austrian Empire. The Government requires the great landlords to provide for the administration of justice on their own estates, in order to exempt itself from the expense and the responsibility. A

third case is, where the country is filled with numerous, opulent, and intelligent residents, coming in contact with the middle and lower orders, principally in the agreeable relations of employers and customers—sprung from the same origin, speaking the same language, generally professing nearly the same religious and political opinions, and sufficiently at leisure to be able to devote the necessary time to the performance of judicial and administrative duties. Such is the case in the best parts of England and Scotland.

But nothing of this applies to Ireland. The central government is strong and rich. It can choose its instruments from the whole legal profession of Ireland, England, and Scotland, perhaps the largest, and certainly the most eminent, body of lawyers—the most remarkable for integrity and station—that exists in Europe. On the other hand, the greater part of the resident gentry of the South of Ireland are regarded by the majority of their neighbours almost as enemies. Most of them are poor; many of them speak a different language; and the principal social relation between them and the peasantry, that of landlord and tenant, much more resembles that of creditor and debtor, or that of taskmaster and slave, than the patriarchal form which it assumes in feudal countries, or than the connexion, cemented by mutual interest, which it creates in England and Scotland.

It is improbable, as we have already said, that an aristocracy standing in such a relation to the bulk of the people can always distribute justice impartially, and

impossible that they can do so satisfactorily; and if our object were mere immediate improvement, we should wish to see the removal of the unpaid, and the substitution of stipendiary magistrates in the greater part of the South of Ireland. But, besides the practical difficulties of such a change, it would not be easy, after having adopted a centralised system, to return to one of local government. And a highly centralised government, though it is consistent with a considerable amount of prosperity, intelligence, and practical freedom, seems to have a tendency to keep a nation unprogressive, when that point has been reached. Without doubt, the present state of Lombardy is far better than that of Ireland. But we believe that if Ireland could be made tranquil and loyal, her free institutions would enable her to attain a material, moral, and intellectual superiority over Lombardy, and even over Prussia, if Prussia continues to be governed as she now is. We recommend, therefore, merely that a considerable number of professional persons be added to the present magistracy of the South of Ireland; that the practically obsolete custom of appointing a quorum be revived, and that the quorum consist exclusively of the stipendiary magistrates, so that the presence of one of them should be necessary to every magisterial act. In the present state of Ireland, we should consider the patronage which this would give to the Government as an advantage.

The last proposal would be an expense. We proceed to one that would be a saving, though that is not its princi-

pal merit—we mean the abolition of the Lord-Lieutenancy. When Ireland was practically farther from London than Nova Scotia is now, it might be necessary to have a Lord-Lieutenant on the other side of St. George's Channel, as it is thought necessary to have a Governor on the other side of the Atlantic; but, now that London is nearer to Ireland than to many parts of England, or to any part of Scotland —now that a man can go from Dover to the Giant's Causeway in six-and-thirty hours, there seems to be no more necessity for a Viceroy in Dublin than in Edinburgh.

If, however, the Lord-Lieutenant of Ireland resembled our Colonial Governors, who do not change with the changes of Ministry—who are merely the organs of the imperial executive—who represent no party in the mother-country, and belong to no party in the dependency—the chief inconvenience of the office, besides a considerable amount of public money uselessly squandered, would be its preparing the way for disunion, by exhibiting to the people a *quasi* king, a court, a privy council, palaces, guards—in fact, all the appearances of a separate kingdom, except a parliament.

Conferred, as it always is, on a political adherent—on a man who represents a party in England, and belongs to a party in Ireland, and armed with considerable patronage, direct and indirect—it makes Dublin the nucleus of faction and intrigue, and brings the political warfare 'home to men's business and bosoms.'

A Tory Lord-Lieutenant comes over—Orange flags are

hung over his head—Orangemen crowd to his levées—the lay candidates for preferment sneer at Whig doctrines and Whig institutions—the clerical expectants denounce the Catholics as idolaters, mixed education as a compromise with error, and Scripture extracts as a surrender of the Bible. All the tradesmen employed by his late Excellency are discharged, and those who have voted the right way are substituted.

Then comes a Whig—a new mob shouts at his heels—a new set form his levées—those who have not irretrievably committed themselves to coercion and intolerance, back out: those who are desperate, revenge themselves by misrepresenting, with inventive malignity, all that he says or does, and all that is said and done by his friends. Party-spirit is carried into the ball-room and to the dinner-table; the Tory tradesmen are displaced, often to their sudden and utter ruin. Then comes a Tory again, and the same miserable practice is repeated; and these tides, differing from sea-tides in being irregular and utterly uncertain, are a fresh ingredient among the causes of agitation.

The very nature of the office—a temporary kingship, partly for business and partly for parade—has a tendency to render Royalty unpopular, and almost ludicrous. The real Sovereign of the British Islands, whatever be his vices or his follies—and we have had kings deeply stained with both—scarcely ever loses the affection or the respect of the people. The errors of the Government are all attributed to his ministers; his personal defects do not penetrate

beyond the narrow dense circle which conceals him from the public. The deference with which all bow before him is his birthright. There never was a time when he was not a royal personage, whom no one thought of treating as an equal. But a Lord-Lieutenant has not the immunity or the *prestige* of Royalty; all the faults of the executive are attributed to him, and all his private defects are notorious and exaggerated. The forms, the observances, and the etiquette of a court are absurd, and almost degrading, when the object of so much reverence is a sort of lord-mayor—who, a year ago, was a mere ordinary nobleman, and a year hence (perhaps a week hence) will be an ordinary nobleman again—who is known, perhaps, to have been selected for his wealth, and is expected to be dismissed for his unpopularity or his incapacity.

The duties now performed by the Lord-Lieutenant and by his Secretary must, however, be provided for. They ought not to be thrown on the Home Office. The present duties of that office—if we include among them an amount of vigilance and precaution, which shall save the Home Secretary from being unexpectedly roused by fires like those which desolated the South of England in 1830, or outrages like those of South Wales in 1843—require the whole time of the most energetic administrator. We believe that a fourth Secretary of State must be appointed; and this will remove one great inconvenience of the present arrangement—namely, that either the management of Ireland is divided between two persons, neither of whom is

a member of the Cabinet; or that the Lord-Lieutenant's Secretary, as a cabinet minister, is raised above his own official superior.

Of course the abolition of the office will be denounced by the revolutionary party. A measure that is useful, and that tends to the consolidation of the Empire, has a double claim to their detestation. It will be unpopular, too, with a certain class of Dublin tradesmen; but we wish to see it accompanied by another measure, which will be equally unpalatable, indeed, to the Repealers—and perhaps more so, and for the same reasons—but eminently agreeable to the mass of the Irish people.

We earnestly wish that Her Majesty may be advised to pay an annual visit to Ireland. We do not mean a mere royal progress, from one great house to another, to receive shouts from mobs and addresses from corporations, but a real residence of several weeks—a residence long enough to make the presence of the Sovereign no unusual element in Irish life. Phœnix Park and the Castle are very good substitutes for Pimlico and St James's. The situation of Dublin is far more agreeable than that of London—indeed, than that of any considerable English town, except perhaps Plymouth—and the climate in autumn is delightful. The distance from London is practically less than that of Weymouth, when it was the residence of George III.

Important, however, as we consider it to be, that the Sovereign of Ireland should not be a permanent absentee, we do

not wish her to be a permanent resident during the present state of excitement. The real grievances of Ireland must be redressed—her real wants must be relieved, so far as legislative and administrative measures can relieve them—and a general wish to conciliate the people must be manifested, by deeds as well as by words, and by words as well as by deeds, before a remedy, addressed more to their feelings than to their interests, can be efficient. That a mere visit from Her Majesty would do some good may, indeed, be inferred from the pains taken by Mr. O'Connell to prevent one, by threatening her with 300,000 petitioners for Repeal; but we had rather that it should be deferred until it can have its full operation.

Another measure of a similar character has been suggested—the holding, from time to time, a Parliamentary Session in Dublin. We are quite aware, as we shall immediately show, that there are opposed to this proposal many—perhaps insuperable—obstacles. But the advantages would be great. The principal cause of misgovernment, particularly of the misgovernment which irritates rather than injures, is ignorance. Things are done and said which the proposer, or the utterer, would have carefully avoided if he had suspected the feelings which they would excite; but no one can understand the feelings of a people who does not, for a time at least, live among them. The great majority of the Members of each House—that is to say, of the two Assembiles which govern Ireland—know less of that country than they know of Belgium or of Switzerland. Even the inhabi-

tants of the North and South of Ireland know little of one another.

As things are, this ignorance does not seem likely to diminish. Ireland is not on the road to any other place; and the greater part of it is not, at present, an inviting country to travel in. There are scarcely any railroads—the climate is wet and ungenial—the inns are generally bad—the greater part of the inland scenery is uninteresting, and almost all the moral objects are painful. Until it has been greatly altered, nothing but necessity will make it frequented by those who belong to happier countries.

Such a necessity would be imposed by a Parliamentary Session in Dublin. The presence of Parliament would, of course, attract many who do not belong to it—the increased resort of travellers would improve the means of accommodation and communication—the Members would not confine themselves to the capital—they would spread themselves over the country in the intervals of business. They would see with their own eyes the nature of the relations between the landlord and the tenant, and between the peasant and the magistrate, whose claim to his high office rests on his estate. They would distinguish between the improvements which are to be effected by legislative or administrative measures, and those which must follow or accompany advancing civilisation. Irish questions would be no longer left to be discussed by only the Irish Members, though the English and the Scotch must take part in deciding them; and if once the country were secure—if once life

and property were safe in it (and until that has been effected real improvement is impossible)—the capacity of Ireland to afford investments for capital would be perceived: many that came as visitors would remain as manufacturers, merchants, or proprietors; and the fusion of the people, the amalgamation which Mr. O'Connell in his better days demanded, would begin.

On the other hand, the obstacles are also very great. The Ministers must elect between absence from their official subordinates, and their official documents, and absence from Parliament. There would be little difficulty with the House of Lords: three Peers make a house, not more than twenty or thirty are regular attendants, and the absent may, to a considerable extent, vote by proxy. But a large and valuable portion of the House of Commons—the bankers, merchants, and lawyers of London—would be almost excluded, and their places would not be supplied by the half-dozen Dublin Members of similar occupations. If a period of balanced parties should recur—and nothing is more likely than such an event, perhaps immediately after the very next general election—the majority might depend on the *situs* of the Parliament, and the Whigs might be entitled to govern when the House sat in College Green, and the Tories as soon as it returned to Westminster.

We have now enumerated the principal points in which legislative reform is wanted in Ireland; and, with respect to most of them, we have stated what we think the reform

ought to be. A few years ago such a body of recommendations, if presented as a whole, would have been dismissed as a mere 'devout imagination.' We believe that now the public mind is prepared for them; and that if Sir Robert Peel were to introduce a set of Bills for providing glebes and churches for the Catholic laity, and stipends for their clergy—for the redemption of the tithe rent-charge, the sale of the ecclesiastical property in Ireland, and the investment and better distribution of the proceeds—for an increased grant to the Education Board—an amendment of the Combination Laws, and an addition to the Stipendiary Magistracy—he would, probably, be joined by a portion of the Opposition sufficient to enable him to carry these measures.

It may be supposed that, if we are right as to their intrinsic utility, they would be beneficial under whatever circumstances they were enacted—whether their intrinsic qualities were a motive or an obstacle—whether they were eagerly brought forward by a triumphant Government, or reluctantly acquiesced in by an alarmed one; and, as to many of these measures, this is true. But who can suppose that, in either set of circumstances, they would be *equally* beneficial? Who can affirm that, under the latter supposition, they would not carry with them peculiar evils, which would be a set-off, and a formidable set-off, against their advantages?

If the measures to which we have alluded were all demanded by Ireland, and formed her ultimatum, the only evil arising from a reluctance in their concession would be,

that they would be less advantageous. They would lose a great deal of their moral utility, they would produce less good; but they would not, on that ground, produce any positive evil. But, unfortunately, neither these measures, nor any others that are practicable—are the ultimatum of Ireland. The numerical majority of the Irish, perverted by the revolutionary party, have made a demand which it is impossible to concede, because it cannot be conceded without their ruin and our own. Repeal must be resisted to the utmost extremity of civil war, because it would certainly be followed by civil war, and the contest, occurring later, would be longer and more calamitous. The multitudes who cry for Repeal will never be convinced of its mischievousness. They are too ignorant to comprehend even the outline of the real question; and too blindly confident in the veracity and patriotism of the agitators, who use them as the tools of their own vanity, avarice, and ambition.

The only way to make them subside into tranquillity is to convince them, not that their object is mischievous, or even that it is valueless—for they will not listen to the proof, nor could they understand it—but that it is unattainable. And, to be convinced of this, they must believe the Government to be sincere and firm. Such a Government would say—'We do not deal in boons, or grants, or concessions. To the measures, whatever they may be, which will, on the whole, produce more good than evil, the country which we govern, and Ireland as a part of that country, is entitled, and is entitled as a matter of right,

not of favour. Whatever would produce more evil than good the country ought not to have; and while we are Ministers, it shall not have. All measures of the first kind we will, as far as we are able, propose and carry. Those of the second we will resist, and, if our resistance is ineffectual, we will resign.'

Such has been the language, and such has been, on the whole, the conduct of the Whigs. The principle of every Tory Government of which we have had experience, has been to estimate arguments, not by their truth, but by their plausibility; to yield, indeed, everything to menace, but nothing to reason; and to adopt or reject each measure according to its probable influence, not on the welfare of the country, but on the divisions of the session. No one believes, therefore, in their firmness or in their sincerity. No one believes in their declarations of opinion, or in their promises of conduct. Both the one and the other pass for rhetorical instruments, to be abandoned when they have served their purpose at the hustings, or in the debate.

It is this general distrust of their sincerity and of their promises which renders the Tories incapable of either effectually resisting, or usefully granting, the demands of any democratic party. It was by this mixture of obstinacy and timidity that they infused even into Catholic Emancipation an active principle of evil. Nothing can describe better what *have* been, in one respect, the results of that measure, than Sir Robert Inglis's prophecy of what they *would* be. In his speech on the third reading of the Bill on March 30, 1829, he contrasted the probable effects of

the measure; as carried by a willing, and by a reluctant Government. 'Mr. Canning,' he said, 'would have conceded Emancipation, open-hearted and open-handed. Concession from him would have been a gift; concession from the right honourable Secretary is privilege surrendered to intimidation. Concession from Mr. Canning would have been alms from the merciful—a debt from the just; concession from the right honourable gentleman is his purse surrendered to a footpad. I am unwilling to impute more to any person than he himself chooses to incur; but, I will ask, has not the right honourable gentleman himself said, that he yields unwillingly—that the party to whom he yields has no right—and that he yields because he is afraid of being knocked down if he resists any longer? But let me tell him that, while alms may silence a beggar, or payment silence a creditor, the surrender of his purse to a highwayman is not the best way to preserve his watch. This surrender to the Roman Catholics is a direct premium to intimidation. Henceforth the principle of intimidation will almost become a common rule-of-three sum, and the class-books of Maynooth will state it thus:—If a given degree of agitation will procure seats in Parliament, what degree will be necessary to procure any other concessions—the abolition of tithes, for example, or the dissolution of the Union?'*

The consequence is, that we can scarcely wish to see the present Government propose to satisfy even the just

* 'Mirror of Parliament' (1829), p. 918

demands of Ireland. Whatever they do, be its merits in other respects what they may, will be valueless as conciliation, and hurtful as encouragement. They have little power to do good, and we doubt their ability, or at least their skill, even to resist evil. They have now abandoned the Fabian policy of the session. At first sight their conduct seems inexplicable. Having come to the conclusion that the meetings were illegal, that they must be put down, and that Mr. O'Connell must be prosecuted, the only rational course appeared to be to suppress, in their beginning, proceedings which they held to be both unlawful and mischievous. To allow such proceedings to go on, week after week, and month after month, until all the evil which they could effect had been completed; and *then*, when the people had become tired of their fruitless waste of time, of money, and of strength—when bad weather and short days had arrived; when even the Agitator had announced that the intended great meeting was to be the last;—*then* at last to interfere, and to enable those who seemed in danger of having to play to empty houses to drop their curtain in triumph—all this seems to be the madness with which Jupiter is said to blast those whom he intends to destroy.

We believe the real explanation to be, that they were willing to run any risk, and to make any sacrifice, if they could thereby avoid, or even put off, an unpleasant discussion in the House of Commons. They felt that, while they were quiescent, they need not fear one. The Opposition approved that policy, and they could force their own

friends to be silent. But the instant they moved, a long and angry debate was inevitable. They remained torpid, therefore, until that formidable House was closed, and—what was the inevitable consequence—until the time for useful interference, if any such time there was, had passed by.

At length the long ignominious session had done its worst, and was over, and they could venture to govern without the embarrassing consciousness that they might be tried for their conduct in twenty-four hours. But, with the fatality which pursues pusillanimous persons, having been afraid to act while action might have been useful, they were afraid to be quiet when action was positively mischievous. The curse of timid dilatoriness, however, still pursued them. The meeting at Clontarf was announced. If they were resolved to prohibit a meeting, they must prohibit that—for it was to be the last. It was advertised for weeks: the very day before it was to be held had arrived. The silence of the Executive was a pledge that they believed it to be lawful. Thousands—tens of thousands—were on their way to it; it might be said to have almost begun, when the Government announced their determination to suppress it—relying, for the means of preventing a collision between the assembled multitude and the force sent to disperse them, only on the influence and the energy of Mr. O'Connell.

With respect to the probable issue of the State Prosecutions, of course we say nothing. But, whatever be their

immediate event, we do not see how they can produce any useful result. We see how they may do harm, indeed, and enormous harm, but not how they can do good. The diseases of Ireland are not topical. What the patient requires is not the cautery or the knife, but repose, regimen, and confidence in her physician. And these she will not obtain, until she is in the hands of abler, more decisive, and, above all, of honester men.

If we believed in the permanence of the present Government, we should believe in the permanence of Irish discontent, turbulence, and misery. Their political relations—their dependence on the minority, and hostility to the majority of the people—render them incapable of acting in the spirit of the Emancipation Act, or even of the Union. What were Mr. Pitt's promises when he proposed the Union? That the avenue to honours, to distinctions, and exalted situations in the Empire, would be opened to *all* those whose abilities enabled them to indulge an honourable ambition.* What was the ground on which Sir Robert Peel, in 1828, opposed Emancipation? That the admission to office must follow eligibility. 'The Crown,' he said, 'it is true, would possess a discretion. It would not be obliged to confer offices on Roman Catholics. But if they were *not* conferred, the exclusion would be much more pernicious and offensive; resting, as it would then do, on the discretion of the Crown, than resting, as it

* Pitt's Speeches, vol. iii. p. 30.

now does, on legislative enactment. Exclusion proceeding from the Crown would be productive of jealousy and discontent much greater than have hitherto existed.' *

Never was a truer prediction; and it is the misfortune of the prophet that he has been himself the grand cause of its accomplishment. His subserviency to the Protestants has forced him to refuse office to the Catholics. It has forced him to close against them the avenue which Mr. Pitt promised to *all* whose abilities enabled them to indulge an honourable ambition. And the exclusion has proved as 'pernicious and offensive,' as productive of 'jealousy and discontent,' as he foretold that it must be.

But it may be said, this is essential to our institutions: the British Government must always be the government of a party, and the party that is in must exclude from its patronage the party that is out. This is true, but it is also essential to this very complicated and very difficult system of government, that the party in power should be formed out of all the classes of the people. To use a geological metaphor, party must cut the strata perpendicularly, not horizontally. It is the crime or the error, certainly the misfortune, of the Tory party, that it has converted into bitter enemies four-fifths of the Irish people. It is forced to exclude four-fifths of the inhabitants of Ireland from all the dignities and all the emoluments which it has to bestow. In this, as in many other instances, it must pay the penalty of its selfish and immoral, and

* 'Mirror of Parliament' (1828), p. 1413.

therefore shortsighted policy. It must afford one more example of the general truth, that parties suffer for their misdeeds as certainly as individuals.

Towards the latter end of the last century, when that party came into office, it found the Irish Catholics a despicable populace. Its whole attention was paid to the depositaries of political power, the Protestants. It gave indeed to the Catholics the elective franchise, but that was for the sole benefit of their Protestant landlords. For a time this policy answered. Ireland became the stronghold of Toryism. The Irish Peerage was swamped with Tories; the increase of its numbers was then prohibited; and thus a permanent addition of twenty-eight Tories was made to the House of Lords. The Irish Members formed the Tory reserve in the House of Commons—the Old Guard, the Sacred Band, the veterans in misgovernment, whom no folly alarmed, and no injustice revolted.

These days have passed away. The Irish Catholics have become a nation; and no party can satisfactorily govern Ireland which does not receive the support, we will not say of the whole, or even of a majority, of the Catholics, but of a minority sufficient to enable it to give to Catholics a fair share of its patronage. Ireland can never be contented while to be a Catholic is a badge of exclusion. Unless the promises made at the Union, and implied by the Emancipation, are fully and fairly kept—unless Catholics are admitted to equal rights, and to a full participation in the benefits of the Constitution—unless they are chosen for office as well as eligible—unless eminence in Parliament

and at the Bar lead the Catholic as readily as the Protestant to the Privy Council and to the Bench—if the only passions left unsatisfied are their vanity and their ambition: not the wisest Acts of Parliament—not the kindest language or the kindest conduct to all portions of the society, except its active and energetic members—no benefits conferred on all, except the leaders of the people, will produce more than a palliative effect.

# PROPOSALS FOR EXTENDING THE IRISH POOR LAW.*

[EDINBURGH REVIEW: October 1846.]

AMONG the English laws from which Ireland as yet is in a great measure free, there is one of which both the good and the evil are enormous. Such are its powers of mischief, that it threatened, not twelve years ago, to destroy the industry of the most laborious, the wealth of the richest, and the morality of the most civilised nation in Europe. Our readers are of course aware, that we allude to the English Poor Law. In a former article,† we traced the history of this institution. We showed that its origin was an attempt to restore or preserve the expiring system of prædial slavery. From the Statute of Labourers, passed in the year 1349, down to the 39th of Elizabeth, passed in 1597, the Legislature strove, by restrictions more vexatious than those of any Continental police, and by punishments more savage than those of Russia—by chain-

* Letters to the Right Honourable Lord John Russell, on the Expediency of Enlarging the Irish Poor Law, to the full extent of the Poor Law of England. By G. Poulett Scrope, Esq., M.P. 8vo. London: 1846.

† 'Edinburgh Review' for October, 1841. [Now published in Senior's 'Historical and Philosophical Essays,' vol. ii.—ED.]

ing, whipping, branding, mutilation, and death—to prevent the labouring population from changing their employers, or leaving their parishes; and to force them to do the work and accept the wages which the justices (that is to say, their employers, the landlords) should fix. To be 'a person able to work, not having a lord or master'—that is to say, to be an ablebodied person out of work; or to be a 'loiterer'—that is to say, a person searching for employment out of his parish, was a crime for which a man or a woman was to be whipped, on the first offence; sold as a slave, 'to be fed on bread and water, and refuse meat, and caused to work by beating, chaining, or otherwise,' for the second; and hanged for the third.

Of course, persons thus confined to their parishes must be supported there. The earlier statutes assumed that the ablebodied slave would be made to earn his maintenance, and the impotent would receive alms. But, in the sixteenth century, the practice of almsgiving was checked by the suppression of convents, the diminished influence of the clergy, and by the prevalence of a religion which does not, like the Roman Catholic, treat blind indiscriminate charity as a virtue. And the increase of manufactures and of agricultural improvement required the employer of labour to possess capital. The labouring classes were in a worse condition than that of ordinary slavery. If they left their parishes, they were whipped, branded, and chained. If they stayed there, no fund was set apart for their maintenance. To provide such a fund was the principal object of the legislation of Henry VIII.,

Edward VI., Philip and Mary, and Elizabeth. The 27th of Henry VIII. enacted, that it should consist of voluntary alms, to be collected and applied by the churchwardens, and two others of every parish. The 1st of Edward VI., cap. 3, associated with them the curate. The 5th and 6th of Edward VI., cap. 2, followed by the 2nd and 3rd of Philip and Mary, cap. 5, invoked the aid of the Bishop. All these attempts seem to have failed; and the consequences of so brutal an oppression are strikingly shown in the preamble of the 14th of Elizabeth, cap. 5, which recites, 'That all parts of this realm of England and Wales be presently with rogues, vagabonds, and sturdy beggars exceedingly pestered; by means whereof daily happeneth in the said realm horrible murders, thefts, and other great outrages;' —these rogues, vagabonds, and sturdy beggars being persons who ventured to seek abroad the maintenance which was not afforded to them at home. Elizabeth was not to be trifled with. After enacting that rogues, vagabonds, and sturdy beggars shall, for the first offence, be grievously whipped, and burnt with a hot iron of the compass of an inch; for the second, be deemed felons; and for the third, suffer death; the statute orders the 'justices of the peace, by their good discretion, to tax and assess all the inhabitants of their divisions at such weekly charge as shall be sufficient to maintain the impotent, and "settle to work the rogues and vagabonds," and to commit those who refuse payment to gaol, until they be contented with the orders of the justices, and perform the same.' The principal difference between this Act and the celebrated

43rd of Elizabeth is, that by the latter the duty of assessing, collecting, and applying the parochial fund, is transferred from the justices to the churchwardens, and two or more householders to be appointed by them—the modern overseers. The purposes to which that fund was to be applied remained unchanged; they were 'the necessary relief of the lame, impotent, old, and blind poor, not able to work; and the setting to work all persons having no *means*' (a word then signifying property), 'and using no ordinary or daily trade of life to get their living by.'

We shall not fatigue our readers by enumerating the steps—some of them actual enactments, and others administrative abuses—by which the simple and comparatively safe provisions of this Act (the 43rd of Elizabeth) were perverted and extended; until at length, in the pauperised portions of England, the overseer was the distributor of employment, and the justice the regulator of wages. We ought not indeed to use the word wages, for in the proper sense of that word there were none. Wages imply a contract; they imply an exchange of values, in which a given amount of labour is purchased by an equivalent in money. When a man was paid by the overseer eight shillings for standing six days in the pound—when he was put up to auction and received threepence a day from his employer, and one shilling and ninepence a day from his parish—when he was billeted on a farmer, who was required to pay him two shillings and sixpence a week if single, four shillings if married without children, and eighteenpence more a head if he had children—these payments were not

wages. Such, however, in the beginning of 1834, was the condition of the labouring population in many thousand English parishes. Such was the regimen which was to train them to the industry, the providence, and the honesty on which the prosperity of a country depends.

Is a law, of which such were the practical effects, a law which can safely or justly be transferred to Ireland?

We shall be told, perhaps, that we are fighting with shadows, and combating dangers of our own creation; that no one proposes anything so monstrous, as the inflicting on any other portion of the empire the English Poor Law, as it existed before the Poor-law Amendment Act. We hope that this is true. But, when we see that many of those who demand an Irish Poor Law, demand also the repeal of the Poor-law Amendment Act, or (what is the same thing) the abolition of the Commission which alone gives it life, we cannot but suspect that, whether they know it or not, this monstrous proposal is the real measure for which they are clamorous. Mr. Scrope, however, whose 'Letters to Lord John Russell' we have taken as the text of this article, has endeavoured to exempt himself from this reproach. He demands for Ireland the *Elizabethan* Poor-law. But the Elizabethan Poor-law extended its charity only to the 'lame, impotent, old, and blind.' As regards the ablebodied, it was not a law of charity or of economy, but of police. It required that persons having no property and using no trade should be set to work. We have already shown that under the previous Acts such persons were criminals—liable to punishments more cruel

than any which the existing law can bear to inflict. The ablebodied industrious labourer,—the man who *has* an ordinary or daily trade of life, but loses his employer, or finds the produce of his hands or of his fields unequal to his support,—is not within the 43rd of Elizabeth; he cannot under that statute be relieved as impotent, or set to work as a rogue. He was left by the Act to voluntary charity, which was soon largely assisted by permanent funds provided by the donations or testaments of individuals. Most of the charities established generally 'for the poor' of a given parish were created in the seventeenth and the early part of the eighteenth century—that is, while the provisions of the 43rd of Elizabeth were substantially enforced. Of course persons who could be relieved under the Act were not to participate in them; for that would have been a mere diminution of rates—a charity not to the poor but to the rich. They were intended for a class who, as Lord Hale remarks, are excluded from the Act—the industrious poor whose wages are insufficient.

Now, these are the persons for whose supposed benefit Mr. Scrope wishes to legislate. It is an abuse of words, therefore—it is an attempt to seduce the judgment by using one term to express ideas essentially distinct—to call his scheme the Elizabethan Poor-law. The only known example of his plan was Paraguay, under the Jesuits. Under that government, the country was divided into districts, or (as we call them) parishes, each under the superintendence of its priest. The priest, or rather

the officer whom he appointed, assigned to every inhabitant his task, and distributed among them, according to their numbers, the whole produce of the land. As the ordinary motives to exertion were wanting—as no one could increase his share by industry, or diminish it by inactivity—idleness and indolence were made crimes, and punished by imprisonment or stripes. The system, like all systems of the kind, became a mitigated slavery; and this we firmly believe would be the result of Mr. Scrope's proposal, if it were possible that it could be adopted and maintained.

His plan, as far as we can understand it, is contained in the following passages:—'Make a law,' he says, 'enacting that every man willing to work shall have work and wages.'* 'Give a title to relief to everyone in danger of starving, and require it to be given to the ablebodied in the form of work. Let the terms be his willingness to work for such wages as will support his family.'† 'My purpose,' he says, in a subsequent letter, 'is the compulsory employment of the labourers, by means of the English Elizabethan Poor-law, not in bone-crushing in workhouses, but in works of public and general advantage to the district, such as are not likely to be undertaken on private speculation, and also in the cultivation of waste lands. That the works of which I speak—whether the improvement and erection of piers, harbours, bridges, roads, embankments, public buildings, &c., or the reclamation of waste lands—have not been hitherto effected to anything

* P. 17. † P. 18.

like the extent to which they might be usefully carried, none will deny. Here, then, is a vast field for the employment of the surplus labourers of Ireland.'* 'The tax imposed for this purpose will be shared by the landlord, if not entirely placed on him; to which I see no great objection, as such a shifting of burthens has answered admirably in the case of tithes.'†

We agree with Mr. Scrope, that, except where tenant-right prevails, the whole tax will ultimately fall on the landlord, as long as such a class exists; and we will now see what is likely to be the relation of the proposed burthen to the means of supporting it. The gross rental of the land of Ireland was estimated by the Commissioners of Inquiry, on evidence supplied by the Masters in Chancery, at less than 10,000,000*l.*; the net rental at less than 6,000,000*l.* We suspect that this estimate is now too low, and that the net income derived from the land and houses of Ireland is not less than 10,000,000*l.* Mr. Scrope says that Ireland contains a population of 6,000,000 of persons existing on potatoes, 2,500,000 of them in absolute destitution, for want of employment.‡ These 2,500,000 are to be employed in public works, out of the clear rental of the land. When the public undertakes to maintain a man and his family, they must receive a sufficient maintenance. Their dietary cannot be lower than that of an Irish workhouse: if they are to labour, it must be higher. Their clothing cannot be worse than that of the workhouse: if they are to be exposed to the

* P. 39 † P. 29. ‡ P. 15.

seasons, it must be better. In the year 1844, the last for which the returns are before us, the average cost of providing maintenance and clothing for the 67,971 paupers relieved in Ireland, was 1*s.* 9*d.* per head per week, or 4*l.* 11*s.* per year: This, for Mr. Scrope's 2,500,000 of absolutely destitute persons, would be 11,375,000*l.* a year for mere maintenance and clothing, to which must be added lodging, which is excluded from the workhouse expenditure. The public works proposed by Mr. Scrope are to be 'such as are not likely to be undertaken by individuals;' that is, such as are not likely to afford a profit to the undertakers. Such, indeed, is the character of those which he enumerates. Piers, harbours, bridges, and public buildings may be profitable to the public, but certainly not to the builders. The reclamation of waste lands, without doubt, may be profitable; but where we have to deal with materials so intractable as the bogs and mountains of Ireland, the return must be very slow. Even supposing the population, which has just received this inexhaustible right to employment, at 'wages sufficient to maintain a family,' not to increase under such a stimulus;—supposing all the expenses of superintendence, all the expense of procuring, repairing, and replacing the tools and materials to be provided from some other source; supposing that no part of the fund is wasted by carelessness, or diverted by fraud,—still, for many years, 11,375,000*l.* must be paid every year in mere wages to this nation of pauper labourers, the rental which is to meet it being at most 10,000,000*l.* Austria, with

37,000,000 of inhabitants, and 250,000 square miles of territory, is crushed by the expense of a standing army of 400,000 men. Prussia, with 107,000 square miles, and 15,000,000 of the most industrious people on the Continent, maintains with difficulty an army of less than 130,000 men. Mr. Scrope proposes to throw on the 30,000 square miles of land, and 10,000,000*l.* a year rental of Ireland, the support of a standing army of paupers, far exceeding in number the whole military force, not of Austria or of Prussia, or even of France, but of Europe!

He complains that his scheme is called a *confiscation.* We really know of no word that, as far as the landlords of Ireland are concerned, more adequately expresses the case. But that word does not adequately, or nearly adequately, represent the whole mischief of the proposal. Confiscation signifies merely a forced ademption of property—literally, an ademption by the State. Such an ademption, of course, is a severe evil to the possessor. It probably destroys his whole happiness; but there the injury ceases. If the estates of all the Orangemen were taken from them and given to Repealers, or if those of all the Repealers were seized and made over to Orangemen, a great wickedness would be perpetrated, and great misery would be inflicted; but the misery would be confined to the persons despoiled. The estates might be as useful to the public in the hands of one class as in those of the other; but if the rental of Ireland, instead of being transferred, were exhausted—if the ownership of land ceased to be worth having—if estates were abandoned to

avoid payment of rates—the consequence would be, not the ruin only of the proprietors, but of the whole island.

The existence of rent, that is to say of individual property in land, is the only means by which the population of a country is proportioned to the demand for labour. In this, as in many other cases, nature has provided that the interests of the landlord and of the public shall coincide. It is the interest of the landlord that his estate shall be occupied by precisely the number of persons which will produce the largest surplus above their own consumption; or, in other words, by the number of persons whose labour can be beneficially employed. The proportion, of course, varies according to the habits of the people. A labouring population eating meat must be more thinly scattered than one eating corn; and a potato-fed community might be denser than one eating wheat. On the other hand, a skilful and laborious peasantry would be more productive, and therefore might be denser, than one idle or unskilful. A population thus proportioned to the demand for labour never can be in want of employment. If it be frugal it cannot, except from unforeseen misfortune, want public assistance. This is the state of things in the best parts of Scotland and England, in Switzerland, in Norway, in the eastern parts of Belgium, and in France. It is, indeed, the natural state of things in the absence of misdirected legislation, since it is the state of things to which the interests of all parties lead them. And if property, according to Mr. Drummond's celebrated aphorism, has its duties as well as its rights—

if the great duty of the landlord be so to manage his estate, as to render it the seat of prosperous tenants, and moral, industrious, and well-paid labourers— the first step in the performance of this duty is to prevent it from being occupied by an excessive population.

Nowhere is this duty more vigilantly or more effectually performed, than where the ownership of the land is minutely subdivided. The owner of twenty thousand acres, especially if they form separate and dispersed estates, knows little of what is going on in the greater part of them. While he is taking care that the number of tenants and labourers residing on the property under his own eye, shall not be greater than that which will give the largest proportional produce—that is to say, the largest fund to be divided between him and them—some outlying estate may be invaded by intruders, or subdivided by an unwatched tenantry, until it is covered by a horde of miserable, half-civilised, and therefore improvident beings, whom it seems cruel to remove, and it is certainly cruel to retain. The owner of twenty, or thirty, or fifty acres keeps watch over them himself. He allows no tenants or labourers to reside on them unless their presence be useful. There is no country in Europe in which population increases so slowly as in France, because there is none in which the ownership of land is so subdivided.

On the other hand, if this restraint be withdrawn—if the landlords lose the motive, or the power, to proportion the number of their tenants to the demand for their

services—what is there to prevent the whole country from becoming a warren of Yahoos, populating to the greatest numbers for which the soil will afford the coarsest food—subdividing the land until each human being squats on the smallest fraction by which life can be sustained—living miserably in ordinary years, and swept away by famine and fever in times of scarcity?' The instant any portion of Ireland is neglected by its owner, this is the state to which it tends. Bad as an exacting landlord is, a careless or over-indulgent one is still worse.

As specimens of the misery and vice into which the tenants of a neglected property may fall, we extract, out of many instances mentioned in the Appendix to Lord Devon's Report, the following, as to the state of a part of Donegal:—

'A great many proprietors' (says Mr. Otway, the Poor-law Commissioner for Donegal), 'requested I would not join their properties to Tanawilly. I found, on enquiry, that the property thus sought to be avoided consisted of lands belonging to the Diocesan school of Raphoe. It was extremely subdivided, and the people were in a state of the *most extreme* poverty I ever witnessed; *most of them were in a state of emaciation from want, and were confined to their beds from want of clothing.*'

'Do you know from what the great poverty of those people has arisen?'—'From the incompetency of the land to afford to so large a number the means of subsistence. I think, if properly cultivated and held, the rent now, nominally payable in Tanawilly, would be *very moderate.*

If I had time to manage it, and had it all to myself, and could put the tenants on their farms as I chose, and could make such arrangements as I chose, I would give the amount of the present rent-roll for it; but, as it is now, it is worthless. *The people cannot get food enough off it, let alone pay rent out of it.*'*

Our other instance is taken from Lord George Hill's account of the district of Guidore, barony of Kilmacrennan, county of Donegal, in 1838:—

'A wild mountainous district, divided into small properties. No resident proprietors. The estates of such small value, that no gentleman, or scarcely respectable person, would act as agent for them. No schools—no dispensary.

'Rents very small; no regularity as to collecting them; —small sums taken at fairs, or wherever they could be got; no receipts given, and no regular account kept—consequently the greatest confusion prevailed as to what was due.

'Upon some of the properties, there were arrears of eight, ten, and even twenty years' standing. Much illicit distillation carried on. Successful resistance to tithes; upon one occasion sixty police were beat off. A great deal of fighting at fairs. Much drunkenness.

'The goodwill, or tenants' right, of a farm, is generally very high, often amounting to forty or fifty years' purchase, land being the thing most coveted—as, indeed, it has been the only means of subsistence, employment being

* Minutes of Evidence, Part I. p. 79.

uncertain, and as, till of late, no support was provided for the poor and helpless, every penny was carefully put by, with a view of purchasing land. This took all their little capital, and very often left them in debt to some money-lender, who had made up the required sum, at an enormous rate of interest; by this means, nothing was left them for the purchase of cattle and seed. Many never contemplate anything beyond potatoes sufficient to feed their families (the little corn grown being enough to meet the demands of the landlord, not amounting, in most instances, to more than 10*s.* or 1*l.* per annum); a cow or some goats, five or six half-starved sheep, to supply the family with clothing, or furnish wool for making stockings for sale, to buy tobacco.

'The total neglect of these mountain districts is in a great measure the reason of their present wild condition. The people, left entirely to themselves, to do as they pleased, divided and subdivided the land, and sold it also, without being interfered with by either landlord or agent, till the greater number considered that they might dispose of it as they pleased, provided they paid the landlord a just rent, and thought it hard that anyone should interfere with their arrangements. The holdings were in many cases reduced to such small patches as to be incapable of producing sufficient food for the family, or scattered in so many bits, here and there, in eighteen or twenty different places. One man (a tailor by trade) had his land in forty-two different places, and gave it up in despair, declaring that it would take a very keen man to find it.

One field, of half an acre of oats, near the police barracks, was held by twenty-two persons. The people were in the habit of trafficking in their land, and would sell small portions of it as they wanted money—either for ever, or for a term of years. These bargains were of the most complicated nature; and, by the majority of the tenants, great dislike was manifested to the land being divided into farms, and to matters being put straight, and made easy of apprehension; many appearing to pass their whole time in concocting schemes for overreaching their neighbours, disliking plain dealings and matters of fact. The land is not let by the acre, but by the cow's grass, and even by the cow's foot (*cosbo*); the fourth of a cow's grass varying in value, according to the quality of the soil, from 1*s.* 8*d.* to 17*s.* 6*d.* There being little or no fencing after harvest, the sheep and cattle are brought from the mountains, and allowed to run everywhere, so that no man would venture to grow turnips, clover, or any kind of green crop. For want of a landlord's care, these already small farms were divided, at the death of the occupiers, among his children, leaving to each a small *skibberlen* or small garden.' *

These are extreme cases; but, we repeat, that this is the condition into which an Irish tenant population, uncontrolled by their landlord, has a tendency to fall.

In England the danger is much less. The cottage of the poorest labourer must be built for him. It must be the work of a mason and a carpenter. It cannot be

* Pp. 711 and 798.

finished for less than 30*l.*, and generally costs 50*l.* A farmhouse, for what we think a very small farm, that is, one of forty or fifty acres, costs 200*l.*, and the outbuildings half as much more. Such an expenditure is beyond the means of the labourer or the farmer. It always, therefore, falls on the landlord. The buildings on his estate cannot multiply without his knowledge—in fact, they increase only by his direct interference. Unless he will build for them, the number of families cannot be added to, except by the residence of more than one family under the same roof, a mode of life disagreeable to the English peasant.

In Ireland the cottier can build his own cabin. Loose stones or mud, which he collects himself, form the walls, a few sticks and sods the roof; a chimney he can do without, and drains he never thinks of. The cottage can be built for him for 40 shillings. Even the man who calls himself a farmer is often not much better lodged, and his outbuildings are hovels even more wretched than his house.

This has made it possible for the Irish landlord to throw on his tenants the whole expense of building. And, unhappily for himself and for his tenantry, he almost always does so. We know some estates that are exceptions,—we know landlords who contribute towards the expense of the buildings on their land, and prevent the erection of any which they have not sanctioned. But, for this purpose, they must employ agents to look out for the first rise of an unauthorised hovel, and pull it down before it has been slept in. They are forced even to watch over the

use which is made of the buildings which they have assisted in erecting. The landlord disapproves of the presence of the cow and the pigs in the cabin. He assists in building a cowhouse and a pigsty. If he leave the cottier to take his own course, in three months the cow and the pigs will be again in the cabin; and the new buildings will be tenanted by other men, women, and children, with perhaps cows and pigs of their own.

It is sometimes reckoned as an advantage belonging to the possession of property in Ireland, that it affords a clear and certain income. In England, repairs, rebuildings, fences, drains, and the other deductions classed under the general name of 'outgoings,' often swallow up a half-year's rent. The greater part of what is called in England rent, is not rent in the technical sense of that word. It is not payment for the use of the original productive powers of the land. It is interest on the capital which the landlord, or those from whom he purchased or inherited, have expended; and which he must continue to expend, in fitting the land for the farmer's habitation and use. In Ireland the landlord's income is pure rent. He receives it merely for permitting his tenants to use his land. In most cases, it is only through their exertions that the land has been made productive of rent. They first enclosed their patches of cultivated ground from the hillside or the waste, cleared the surface-bog, cut the absolutely indispensable drains, and erected the absolutely indispensable places of shelter. They created their holdings without his aid, and do not require his aid to maintain them.

The necessary consequence is, that his means of controlling them are few. They consist merely of distress and ejectment. He must use constant vigilance, and occasional severity. One man divides his farm of ten acres, in order to sell the tenant-right of half of it; another partitions it among his sons, or portions a daughter with an acre. The ejected tenantry from cleared estates crowd it as squatters, purchasing from the residents the tenant-right of the site of a cabin and a potato-garden. A hovel is erected in a night, and in a few months the inhabitants call it an improvement, and consider themselves tenants entitled to sell their tenant-right, and to avenge ejectment by assassination. The misery inflicted by a clearance, without doubt, is dreadful; the injustice of ejecting, without compensation, a man who has made a real improvement, is revolting. But any law which should deprive the landlord of the power of arresting the subdivison of the land, or even should materially weaken it—by enabling the ejected tenant to claim compensation, as improvements, for cottages built without the landlord's consent, and injurious to the property—would undoubtedly produce a state of misery more extensive than that which now exists in Ireland, and less remediable.

And we must add, that there are at work feelings, both in England and in Ireland, which lead us to fear that a very dangerous course of legislation would be popular in both countries. The English public seem to believe that it is the fault of an Irish landlord, that the tenants and

cottiers on his estate are not as comfortable as the farmers and labourers of Yorkshire. They forget the capital of the Yorkshiremen. It is not so much the material capital—the money and live and dead stock of the tenant—as the intellectual and moral capital—the skill, and industry, and submission to law, both of farmers and of labourers—which produce the comfort of the unpauperised districts of England. Take away these elements of prosperity—cut up Yorkshire into holdings of from six to twelve acres,—let its population, instead of being collected in towns, be spread over the country, deprive them of diligence and of skill, let neither property nor life be secure—and then see whether the landlord can make them comfortable. A few instances have occurred in which men of large means, and with great courage and energy, by making it the business of their lives, have raised a Connaught or a Munster population, not indeed to the average English standard, but to a state which, when compared with that of their neighbours, was one of prosperity. But to produce this prosperity, and to maintain it, they must eject and consolidate.

This disgusts the English public. With a perverseness which, if it were not the result of ignorance, would be intolerable, and if it be the result of *wilful* ignorance, is inexcusable—they execrate the landlord for his harshness if he be vigilant, and for the wretchedness of his tenants if he be careless. They hold him responsible for the misery produced by habits the results of centuries of misgovernment,—operating on a race, kindly indeed, but

not largely endowed with the qualities necessary to resist mischievous impressions. And the result, in England, is a degree of unpopularity of which Mr. Scrope's pamphlet is an exponent. Unless the landlords of Ireland had been already outlawed by the public opinion of England, no one would have seriously proposed to confiscate their estates.

The feeling in Ireland is not against the landlord, but against the absentee. The comparatively few who can afford to leave the country, are objects of jealousy to the resident proprietors. They enjoy many of the advantages of property, without its dangers and its troubles. The landlord who resides on his estate, constantly contending with the importunities of his tenants, which he cannot grant without injuring both them and himself, and must refuse at the risk of assassination, thinks with envy of his former neighbour, who is spending his rents in safety, in England or France. And, in the bulk of mankind, the passage from envy to hatred is short. We fear that there is no law that could be directed against absentees which would not be popular in Ireland. We believe that many of the resident proprietors would not unwillingly sanction measures that would be injurious to themselves, if they hoped that they would be still more injurious to the absentees.

When men's conduct is influenced by passions like these—when they are anxious not to benefit but to punish, not to do good but to do harm—what sort of legislation is to be expected? With such persons neither we nor our readers can have anything in common. We address

ourselves only to those who desire the welfare of the whole Irish people—of the rich as well as of the poor, of the landlords as well as of the tenants. And if among them are some who treat the land as an inexhaustible fund—who think, with Mr. Scrope, that landlords, *ratione tenuræ*, are bound and are liable to provide every man with employment, at wages which will support a family—we wish that they would familiarise their minds with the details of a real case of confiscation. We request their attention to the following letter, addressed, in 1833, by Mr. Jeston, the rector of Cholesbury in Buckinghamshire,* to the English Poor-law Commissioners:—

'I am informed by the very oldest of my parishioners, that sixty years ago there was but one person who received parish relief; but it should seem that the parish, for many years past, has been an overburdened one, though within the last year the burdens have been much increased by the land going out of cultivation, and the whole of the population being thrown upon the rates.

'About October last the parish officers, not being able to collect any more funds, threw up their books, and from that time their duties have fallen upon myself; for the poor, left without any means of maintenance, assembled in a body at my door, whilst I was in bed, and applied to me for advice and food.

'My income being under 140*l.* a year, rendered my means of relief small; but my duty was to keep them from starving, and I accordingly commenced supporting

* 'Administration of the Poor Laws,' p. 87.

them by daily allowances of bread, potatoes, and soup. In the meantime I made several (as many as eight or ten) journeyings to the magistrates at petty and special sessions, in company with the parish officers, and, after a delay of three weeks, succeeded in obtaining a "rate in aid" for 50*l.*, on Drayton, an adjoining parish.

'The present state of the parish is this:—The *land* almost wholly abandoned (sixteen acres only, including cottage-gardens, being now in cultivation); the *poor* thrown only upon the rates, and set to work upon the roads or gravel-pits, and paid for this unprofitable labour at the expense of another parish! I have given up a small portion of my glebe (the rest is abandoned, on account of the rates assessed on it) to the parish officers, rent-free, for the use of the poor, on condition that spade-husbandry only be made use of, and the work done by married men with large families; but the employment this can afford must be of short continuance. The 50*l.* will be expended in less than two weeks; and I have apprised the magistrates of the hundred that I shall be compelled to apply, on Monday the 14th inst., at the petty sessions, for another "rate in aid."

'At present, I confess, I see no prospect of improvement; and it is to be feared this parish must continue dependent for support on the parishes in the hundred, by means of rates in aid; for there appears no probability of the land being reoccupied, and the longer it remains uncultivated the greater will be the difficulty and expense of re-cultivation, and the less the produce; whilst the wants of the

parish will be increasing. The ablebodied poor and the boys are deteriorating, physically and morally, by reason of the want of useful and productive employment, and of their receiving parish allowance *without any chance* of bettering themselves by any *exertion or good conduct.*'

'It is obvious,' add the Poor-law Commissioners, 'that the instant the poor-rate exceeds the net surplus produce —that is to say, exceeds that surplus which, if there were no poor-rate, would be paid in rent—the existing cultivation becomes not only unprofitable, but a source of absolute loss. And that, as every diminution of cultivation has a double effect, in increasing the rate on the remaining cultivation—the number of unemployed labourers being increased at the same instant that the fund for payment of rates is diminished—the abandonment of property, when it has once begun, is likely to proceed in a constantly accelerated ratio. Accordingly, it appears, from Mr. Jeston's statement, that scarcely a year elapsed between the first land going out of cultivation, and the abandonment of all except sixteen acres.'

We have inserted this remarkable statement, not only for the sake of the instruction which it affords, but in order to append to it, in a subsequent part of this paper, the comment of the Commissioners of Inquiry into the condition of the poorer classes in Ireland. Mr. Scrope expresses his regret that, in 1836, 'the Whig Government refused to act on the recommendation of their own Poor Inquiry Commissioners, and, instead of doing so, sent over Mr. Nicholls, to make out a case for a more stinted kind

of Poor Law than that recommended by the Commissioners—disregarding also, altogether, the other valuable recommendations of the Commission.' 'The consequence,' he adds, 'has been the loss of ten years of Irish misery and crime, and the whole question has now to be argued and fought over again, on which the public mind was made up at that time.'*

The Report of the Commissioners contains, without doubt, many suggestions of great value. With a Commission containing some of the most eminent men in Ireland, it could not be otherwise. We are inclined to think the principle which runs through it—that of requiring relief to be given to all those comprised in certain classes—such as lunatics, the deaf and dumb, the blind, the maimed, and orphans, and to be given in the manner applicable to their condition—in some respects better than that of the actual Irish Poor Law, which allows the guardians at their discretion to relieve all the destitute poor; but does not absolutely require them to relieve any peculiar class, or enable them to vary materially the treatment of those whom they do relieve.

But it also contains proposals which we believe that the Commissioners would have abandoned, if they had put them to the severe test of expanding and limiting them in a Bill. Many schemes look well in the vague form of a recommendation, which are found impracticable as soon as it becomes necessary to create the machinery which is to work them, and to define the details of execution. Such

* P. 4.

was their recommendation as to emigration. 'We propose,' say the Commissioners, 'that arrangements for carrying on emigration shall be made between the Commissioners of Poor Laws and the Colonial Office. And that all persons whose circumstances shall require it, shall be furnished with a free passage, and with the means of settling themselves in an approved British colony to which convicts are not sent. We propose, too, that the means of emigration shall be provided for the destitute, of every class and description, who are fit subjects for emigration; that depôts shall be established, where all who desire to emigrate may be received; that those who are fit for emigration be there selected for the purpose, and those who are not, shall be provided for under the directions of the Poor-law Commissioners; that all persons who, having entered an emigration depôt, withdraw from it without discharging such expenses as they may have occasioned, or who refuse to emigrate, shall be removed as free labourers to such colony, not penal, as shall be appointed for them by the Colonial Department; and that those who may be unfit for removal to a colony shall remain for such time in a penitentiary, and be there kept to such work as the Court of Quarter Sessions shall by law be authorised to appoint.'

Now, in what plausible enactments could these suggestions have been embodied? How could the Colonial Office have been required to furnish, to an indefinite number of destitute persons, the means of settling themselves in an approved British colony? How could the

Poor-law Commissioners have been required to provide for all candidates for emigration, who, on examination, proved to be unfit? By what words could this new offence, 'refusal to emigrate,' have been defined? If a man with his wife and children entered the depôt, and the husband refused to emigrate, must the wife and children be considered as participating in the offence, and subjected with him to involuntary exile? The draftsman would have thrown down his pen.

On the other hand, the suggestions of the Commissioners for the compulsory improvement of the land now under cultivation, by drainage and fencing, and the removal of unwholesome cabins, might, without much difficulty, have been turned into positive enactments. Until it came into operation, the mischief of the attempt to improve private property, partly at the expense of the proprietor, and partly at the expense of the public, would not have been obvious. There would have been no difficulty, indeed, in finding a field for the exertions of the Commissioners of Improvement. The South and West of Ireland consist of undrained fields, ill-fenced properties, and unwholesome cabins. But the struggles of some proprietors to improve their estates at the expense of their neighbours; those of others to escape a burthen from which they were not to profit; the resistance of the uncivilised occupiers of the cabins sentenced to removal, against a clearance which they could not appreciate, or even understand the motive for; and the general cessation from voluntary improvement, owing to the hope of

obtaining public assistance, and the fear of incurring additional rates, would soon have occasioned so much fraud, so much jobbing, so much injustice, so much loss —in short, so much evil of every kind—that the Act could not have lasted for a year after it had been enforced. We cannot join in Mr. Scrope's regret that these suggestions have been disregarded. But we lament, with him, that the practicable and useful parts of the Report should have received the same treatment.

Among its detailed recommendations, one of the most important was, that the Vagrant Law of Ireland should be revised, or rather that an efficient Vagrant Law should be enacted; for the present law, which subjects all who wander about demanding victuals, to seven years' transportation, is too monstrous to be enforced. Lord Melbourne's Government endeavoured, in 1840, to give effect to this recommendation. Sir Robert Peel, as far as his wishes can be inferred from his conduct, was then unwilling that a useful measure should be carried by a Whig Government. He withheld his co-operation, and the attempt necessarily failed. We trust that it will now be renewed with success. We endeavoured to call to it the attention of the public, and suggested the outline of a Vagrancy Law, in the number of this journal published in April, 1843.

Another portion of the Report, perhaps equally important and equally fruitless, is that which recommends that voluntary charitable associations be superintended by the Commissioners, and aided by the public. It has been

met, not by opposition, but by total neglect. Another large measure, that for partitioning and improving the waste lands of Ireland, has not been acted on, though it cannot be said to have been wholly neglected. As is too often the case in Irish matters, it has been talked about, admitted to be useful, and dropped. We shall recur, in a subsequent part of this paper, to the second of these proposals.

But we own that we are astonished, when we find Mr. Scrope citing, as an authority for his own speculations, the Report of the Irish Commissioners of Inquiry. Of all the measures which they consider, that which they most firmly, we had almost said, most fiercely, reject, is Mr. Scrope's *nostrum*—a right to relief in the *ablebodied!*

They cite, from the English Poor Inquiry Report, the history, as we have already given it, of Cholesbury,—adding this memorable comment: 'As the parish of Cholesbury became to other parishes in England, so, we are persuaded, would very many of the parishes of Ireland be to the residue *at the end of a year*, from the commencement of any system for charging the land indefinitely, with the support of the whole labouring part of the community; and, as these parishes must shortly bring down all others to their level, the whole of Ireland would shortly have to lean on Great Britain for support. It may, however, be said that England, with the Poor-law system we condemn, has become a great and flourishing country; while Ireland, without it, is in a state of semi-barbarism. The fact is undoubtedly so. *But because extraordinary*

*strength has withstood poison, it does not follow that poison should be prescribed as a remedy for weakness.* The true cause of the greatness of England is to be found in her free Constitution. Unfortunately, it is only of late years, and by slow degrees, that it has been allowed to diffuse itself through the mass of the people of Ireland. For nearly the whole of the last century, they were governed by a code, the policy of which was to keep them in poverty and ignorance, and which was perfect for its purpose. Although it is now no more, it has left behind it habits and dispositions which are opposed to improvement; and we should consider ourselves accessories to a continuance of them, if we attempted to guarantee to the labourer pauper support, instead of endeavouring to render him independent of it.'

We cannot understand how Mr. Scrope, holding opinions irreconcileably opposed to those of the Commissioners, should regret that their recommendations have been disregarded. He endeavours to support his scheme by the authority of the English Commissioners of Inquiry. He quotes the following passage from their Report:—

'If we believe the evils stated in the previous part of the Report, or evils resembling or even approaching them, to be necessarily incidental to the compulsory relief of the ablebodied, we should not hesitate in recommending its entire abolition. But we do not believe these evils to be its necessary consequences. We believe that, under strict regulations, adequately enforced, such relief may be afforded safely, and even beneficially.'

'In all extensive communities, circumstances will occur in which an individual, by the failure of his means of subsistence, will be exposed to the danger of perishing. To refuse relief, and at the same time to punish mendicity, when it cannot be proved that the offender could have obtained subsistence by labour, is repugnant to the common sentiments of mankind; it is repugnant to them to punish even depredation, apparently committed as the only resource against want.

'From the evidence collected under this Commission, we are induced to believe that a compulsory provision for the relief of the indigent can be generally administered on a sound and well-defined principle; and that, under the operation of this principle, the assurance that no one need perish from want may be rendered more complete than at present, and the mendicant and vagrant repressed by disarming them of their weapon—the plea of impending starvation.'

But what is this 'sound and well-defined principle'? It is this:—That a marked line be drawn between the pauper and the independent labourer. 'We do not believe,' they observe, 'that a country in which this line has been effaced, can retain its prosperity, or even its civilisation.' Further, that the situation of the person receiving assistance, shall not be made really or apparently so eligible as that of the independent labourer—'Every penny' (they add) 'that tends to render the situation of the pauper more eligible than that of the independent labourer, is a bounty on indolence and vice.' Moreover,

as the mode by which this principle is to be enforced,—their first recommendation, the keystone of their whole plan, is—'That, except as to medical attendance, and subject to an exception respecting apprenticeship, all relief whatever to ablebodied persons, or to their families, otherwise than in well-regulated workhouses (*i. e.*, places where they may be set to work according to the spirit and intention of the 43rd of Elizabeth), shall be declared unlawful, and shall cease.' They say, that 'outdoor relief contains in itself the elements of an extension, which may ultimately absorb the whole fund out of which it arises.' On the results of such an absorption they do not dwell, feeling probably that it requires no illustration. But they explain at some length a less obvious part of the subject—its effect on the labouring class, for whose benefit it is supposed to be extended.

'Under its influence' (they say), 'piece-work is refused to the single man, or to the married man if he have any property, because they can exist on day-wages; it is refused to the active and intelligent labourer, because he would earn too much. The enterprising man, who has fled from the tyranny and pauperism of his parish to some place where there is a demand and a reward for his services, is driven from a situation which suits him, and an employer to whom he is attached, and forced to receive as alms a portion only of what he was obtaining by his own exertions. He is driven from a place where he was earning, as a free labourer, 12*s.* or 14*s.* a week, and is offered road-work, as a pauper, at sixpence a day, or perhaps to

be put up by the parish authorities to auction, and sold to the farmer who will take him at the lowest allowance.

'Can we wonder if the labourer abandons virtues of which this is the reward?—if he gives up the economy in return for which he has been proscribed, the diligence for which he has been condemned to involuntary idleness, and the prudence (if it can be called such) which diminishes his means just as much as it diminishes his wants? Can we wonder if, smarting under these oppressions, he considers the law, and all who administer the law, as his enemies, the fair objects of his fraud or his violence? Can we wonder if, to increase his income, and to revenge himself on the parish, he marries, and thus helps to increase that local over-population, which is gradually eating away the fund out of which he and all the other labourers of the parish are to be maintained?'

But this is not the worst.

'Though the injustice' (they add), 'perpetrated on the man who struggles, as far as he can struggle, against the oppression of the system—who refuses, as far as he can refuse, to be its accomplice—is at first sight the most revolting, the severest sufferers are those that have become callous to their own degradation; who value parish support as their privilege, and demand it as their right; and complain only that it is limited in amount, or that some sort of labour or confinement is exacted in return. No man's principles can be corrupted without injury to society in general; but the person most injured is the person whose principles have been corrupted. The

constant war which the pauper has to wage with all who employ or pay him, is destructive to his honesty and his temper; as his subsistence does not depend on his exertions, he loses all that sweetens labour, its association with reward, and gets through his work, such as it is, with the reluctance of a slave. His pay, earned by importunity or fraud, or even violence, is not husbanded with the carefulness which would be given to the results of industry, but wasted in the intemperance to which his ample leisure invites him.'

Even this is not the worst.

'In all ranks of society' (say the Commissioners), 'the great sources of happiness and virtue are the domestic affections, and this is particularly the case among those who have so few resources as the labouring classes. Now, pauperism seems to be an engine for the purpose of disconnecting each member of a family from all the others; of reducing all to the state of domesticated animals, fed, lodged, and provided for by the parish, without mutual dependence or mutual interest.

'At the time of my journey' (says Mr. Cowell), 'the acquaintance I had with the practical operation of the Poor Laws, led me to suppose that the pressure of the sum annually raised upon the ratepayers, and its progressive increase, constituted the main inconvenience of the Poor-law system. The experience of a very few weeks served to convince me that this evil, however great, sinks into insignificance when compared with the dreadful effects which the system produces on the morals and happiness

of the lower orders. It is as difficult to convey to the mind of the reader a true and faithful impression of the intensity and malignity of the evil in this point of view, as it is by any description, however vivid, to give an adequate idea of the horrors of a shipwreck or a pestilence. A person must converse with paupers—must enter workhouses, and examine the inmates—must attend at the parish pay-table—before he can form a just conception of the moral debasement which is the offspring of the present system; he must hear the pauper threaten to abandon his wife and family unless more money is allowed him—threaten to abandon an aged bedridden mother, to turn her out of his house, and lay her down at the overseer's door, unless he is paid for giving her shelter—he must hear parents threatening to follow the same course with regard to their sick children—he must see mothers coming to receive the reward of their daughters' ignominy, and witness women in cottages quietly pointing out, without even the question being asked, which are their children by their husband, and which by other men previous to marriage—and when he finds that he can scarcely step into a town or parish in any county without meeting with some instance or other of this character, he will no longer consider the pecuniary pressure on the ratepayer as the first in the class of evils which the Poor Laws have entailed upon the community.'

It may be said, however (and so says Mr. Scrope), that

Appendix (A.) Part I. p. 583.

these calamities arose, not from outdoor relief, but from the form in which much of it was given; and, 'that to prevent them it is only necessary to draw a broad line between parish or pauper labourers, and independent labourers working for private employers, by prohibiting any relief to the ablebodied *on any account, except in the shape of work on account of the public*—which is, in fact, only returning to the true principle of the law of Elizabeth.'*

This is not returning to the law of Elizabeth; it is returning to the fourth of the five modes of relief, enumerated by the English Commissioners of Inquiry, and termed by them 'parish employment.' Under this system, as the transaction is not voluntary on the part of the employer, the terms of the contract, if contract it can be called, must be fixed by some third party; that is to say, by an agent delegated by the government, or, in other words, by a magistrate. As the employment is eleemosynary—as it is a duty thrown on the ratepayers, not for their benefit, but for that of the labourer—the wages, or rather the allowance, must be regulated by principles totally different from those which regulate natural wages. The magistrate cannot permit less to be paid than the sum which he thinks necessary for the support of the applicants, and cannot require that they shall receive more. The weak must have as much as the strong, the ignorant as the skilful, the careless as the diligent, the dissolute as the well-conducted. The only

* P. 44.

principle of distinction is the number of persons constituting the family. The unmarried receive the minimum; the man with only a wife somewhat more; and where there are children they are paid for by the head. As the ordinary motives to exertion and good conduct are wanting—as no parish or union labourer has any hopes or fears from his employer, the magistrate again must interfere. He cannot indeed reward diligence, but for that very reason he must punish indolence, since the fear of punishment is the only stimulus left. How he is to punish it is not easy to say. The offender cannot lose his place, his allowance cannot be reduced, and public opinion would not allow him to be flogged. If a sufficient number of prisons can be built, the punishment will probably be imprisonment.

If the experiment had never been tried, we might infer, from the known principles of human nature, that such a moral regimen as this must be corruptive. It is obviously impossible that a man can be subjected to the hopelessness and the irresponsibility of a slave, without incurring the vices of slavery. But, unhappily, the experiment has been tried, and tried for nearly half a century, on the widest scale, and under peculiarly favourable circumstances. It has been tried in a country possessing the most industrious peasantry, the largest and most intelligent middle class, and the ablest, the most active, and the most practical aristocracy in Europe. Its result was shown in the fires, riots, and outrages of 1830. It was on the parish roads, and in the parish gravel-pit, that the almost

treasonable robbery and devastation of that unhappy period were organised. It was in those *ergastula* that the labourer acquired his hatred of work, and his hatred of his employer. It was there that he found himself treated as a mere incumbrance—fed, lodged, and clothed, because the magistrate so ordered it—and kept to work, not because the work was profitable to his parish, but because it was painful to him. It was there that he learnt the revolutionary doctrine, that society is divided into the rich and the poor, and that it is the duty of the rich, out of their inexhaustible funds, to provide for the comfortable subsistence of the poor,—however large their number, however reckless their improvidence, and however valueless their labour. It was there that he was taught to feel every task as a punishment, every privation as a robbery, and all the evils of life as wrongs inflicted by his superiors. The fourteen folios of the English Commissioners are a small part of the evidence which shows that, corrupting and degrading as all pauperism is, the most corrupt and the most degraded of paupers is the man on parish employment. This is the state to which Mr. Scrope would reduce the bulk of the Irish labourers; and he cites, as an authority in his favour, the great denouncers of this system, the English Commissioners of Inquiry.

Before we finally part from Mr. Scrope, we must add some remarks on the few argumentative parts of his pamphlet, and some on its general tone.

'Ireland,' he repeats over and over, 'now supports her entire population—badly enough, but still somehow, and

by somebody they are now supported. My proposal is to put the burthen on the right shoulders.'* So, because the Irish labouring population are now supported—because, by severe economy, they get a maintenance so poor that he calls it starvation, he infers that it is practicable to give them an adequate maintenance;—such a maintenance as the State, if it undertake the business at all, must provide; and to give them that maintenance at the expense of a single portion of the community—the landlords. Because, with the foresight, the privations, the shifts, and the expedients by which an independent labourer earns and applies his pittance—getting sixpence a day and living on it—he infers that the landlords *can*, and therefore *ought* to be compelled, to give them as a matter of right, in return for labour which will not be remunerative, 'sufficient wages to support a family.' As well might he say, 'England now supports 18,000,000 persons. Why should she not have a standing army of 1,500,000 men? She supports them as labourers; why should she not support them as soldiers?' But this comparison would be too favourable to Mr. Scrope. First, because, instead of costing more, it costs less to maintain an English soldier than an English labourer. To represent fairly the absurdity of Mr. Scrope's proposal, we must suppose, that while an English labourer costs 2*s*. a day, a soldier costs 4*s*. And, secondly, because the expense would be thrown on the whole income of England—that is to say, on a fund amounting annually to about 300,000,000*l*.—Mr.

* P. 33.

Scrope's two-and-a-half millions of poor are to be maintained by a fund of about 10,000,000*l.* a year.

Another ground on which Mr. Scrope rests the practicability of his scheme, is the export of food from Ireland. 'A country,' he says, 'which exports annually from fourteen to sixteen millions' worth of food, in corn, butter, pork, swine, sheep, and cattle, can hardly be said to be deficient in food.'* As well might he have said, 'The handloom weavers of Dublin, who annually export many thousand yards of costly tabinets, cannot be said to be in want of clothing. There can be no want of food in the Highlands of Scotland, or they would not export their black cattle. The Poles must have an abundance of wheat, or the warehouses of Dantzic would not be filled with it.' It is precisely because they want food that the Scotch export their cattle, the Poles their wheat, and the Irish their swine and sheep. To export its raw produce may sometimes be the privilege of a rich country, which produces, like America, more than it wants, but is always the necessity of a poor country. Poland does not produce more wheat than her people could consume. She does not produce so much; but they cannot afford to eat it—they export it, and live on rye. So the occupier of a rood of land near a town may be miserably poor, yet send to the town every year 10*l.* worth of food. He may grow asparagus while he is starving. As long as Ireland continues to be agricultural, and to feed on potatoes, and as long as property in land is allowed to exist there, Ireland will export corn, butter, swine, sheep, and cattle. But

* P. 15

this exportation shows not her riches, but her poverty. So far from showing her power to support the burthen which Mr. Scrope would throw on her, it shows her inability.

We said that we had some remarks to make on the general tone of Mr. Scrope's 'Letters.' That tone we cannot avoid calling anarchical. If his advice be rejected, insurrection and revolution are not only predicted, but justified. We are told that,—

'The Irish people must be fed from the resources of Ireland, and employed in providing those very resources from her fertile but neglected soil. The Irish landlords *will not* do this—*cannot* do it—at any rate *have not done it*, or shown any disposition to do it. *Then the State must step in and compel them to do it, or do it for them at their expense.*' *

'Let the landlords of Ireland' (he adds) 'not force the friends of justice and humanity to enquire too closely into their title to unconditional sovereignty over the fair fields and native population of Ireland. Let them remember that their claim rests in most cases upon *confiscations*, not very remote, for the benefit of the few. Let them beware of provoking a *real* confiscation for the benefit of the many. *Salus* POPULI *suprema lex est.* No vague declamation about the sacredness of title-deeds and grants will satisfy the public mind. Every day these "sacred" rights are invaded by Parliamentary legislation, at the instance of speculating companies, pleading only a very remote public interest in their favour.

* P. 12.

'But we live in an age when interferences on a much larger scale have been frequent. Do you, does any intelligent Irish landlord, with a knowledge of the recent examples of violent, but *ultimately most beneficial revolutions* in the tenure of land through the greater part of Europe—with a knowledge of the still unforgotten and traditionary memories current among the Irish peasantry, of the forcible dispossessions, at no very remote historical periods, of former races of proprietors—with a knowledge of what is passing *now* in Ireland, of the tone of its most popular periodicals, the temper of its masses, the difficulty with which they are at present restrained by their cautious leaders, and still more active, unwearied, and influential priesthood, from actual insurrection, or a combined resistance to the law, the end of which none can foresee:—I ask, can you, or anyone, expect to be able long to maintain the present state of the territorial law? If no *milder* means can be obtained from the *prudence* and sense of justice of the Legislature, for relieving the *people* of Ireland from the grinding oppression and shocking misery they now endure, you will erelong find many friends of humanity advocate and justify a division of the lands of the country among its inhabitants, as fraught with less evil than the continuance of the present frightful state of society there.

'My advice to the landlords of Ireland is, to "set their house in order," in preparation for what may happen. Secure, at least, the *masses* in support of law and order, by an act of bare justice that ought never to have been

denied to them—that should have formed a primary element in your judicial code—by affording them a legal guarantee for existence on the surface of their native land.' *

Mr. Scrope's doctrine is this—That it is the duty of the landlords of a country to provide employment and subsistence for all whom they find on the surface of their land. It does not matter whether their residence there be useful or mischievous, whether their number be adequate or excessive—whether they be prudent or improvident, frugal or wasteful, industrious or idle. It does not matter whether their presence have been invited or connived at, or even forbidden, by the person who chooses to call himself owner of the soil. They may have multiplied there while the land was in the hands of a middleman, or have been introduced in defiance of covenants against subletting, or may be mere *squatters* without a pretence to title. But they are there; and 'the due maintenance of the population is a primary condition inherent in the principle of the law under which the owners of landed property hold their estates.' † It may be impossible to find for them remunerative employment. Then, let them be employed on what is not remunerative—piers, harbours, and public buildings. The expense of maintaining them swallows up the whole rent. Then let the estate be divided among them. 'The people are to be fed and employed. If the landlords have the power and the will to perform this duty, well. If they will not do it, or

* Pp. 59, 60. † P. 40.

cannot do it, or have not done it, the State must step in and compel them to do it, or do it for them at their expense. If the State refuse or neglect to perform this office, the people must *right* themselves by a Revolution.' Doctrines more subversive of property, and therefore more subversive of government, of civilisation, and of human morality and happiness, were never proclaimed by Fourrier or by Owen, by Robespierre or by Babeuf.

We do not accuse Mr. Scrope of being consciously an anarchist. We believe him—indeed we know him—to be a man whose intentions are excellent, and whose views and opinions on subjects unconnected with Poor Laws are enlightened. But living among the abuses of the English Poor Laws has pauperised his mind. He belongs to the class described by the English Commissioners of Inquiry as unfitted, by their familiarity with the vices of the English system, to understand the principles on which a Poor Law ought to be based.

'To suppose' (say the Commissioners) 'that the poor are the proper managers of their own concerns; that a man's wages ought to depend on his services, not on his wants; that the earnings of an ordinary labourer are naturally equal to the support of an ordinary family; that the welfare of that family naturally depends on his conduct; that he is bound to exercise any sort of prudence or economy; that anything is to be hoped from voluntary charity—these are views which many of those who have long resided in pauperised districts seem to reject as too absurd for formal refutation.'

It may be said, however, that there is a mode of extending the Irish Poor Law, to which the objections which we have opposed to Mr. Scrope's scheme do not apply. Some of those who admit that to give a right to relief would be ruinous, think that a discretionary power to afford outdoor relief, out of the rates, might be entrusted to the Guardians. It is true that the objections to this plan and to Mr. Scrope's are not the same; but, though different in kind, they are not less in degree. If we had to choose between the two, we had rather, on the whole, pass an Act embodying Mr. Scrope's proposal. The mischief of such a law would be apparent the instant it was attempted to be executed. Rates of fifteen or twenty shillings in the pound must immediately be levied. Improvement would cease, farms would be given up, those who now pay rates would have to receive relief instead of contributing to it, voluntary employment would be at an end, estates would be abandoned, the Boards of Guardians would be besieged, like Mr. Jeston at Cholesbury, by the applicants for food--numbered not by hundreds but by thousands, demanding it not as a favour but as a right; and after a period of misery, and probably of riot and outrage, such as even Ireland has never suffered, the law would be repealed by acclamation. The evils of a discretionary power of outdoor relief would be gradual. They would advance in Ireland, as they did in England, by steps--with this difference only, that their progress would be far more rapid. But, though comparatively rapid, the progress would be slow enough to render the

mischief irremediable. The disease would have time to become organic before it became alarming.

The difficult problem how public relief may be best afforded, has exercised the minds of all reflecting men for the last two hundred years. On no question in political science have the facts been so abundant, or so carefully collected and arranged, or made matter of such diligent comment. The subject is far from exhausted, but a few leading principles have been established.

One is, that public and private charity must be governed by rules so different as to have little in common. Both indeed may be misdirected, but only one of them can be corrupt. A man who gives from his own purse may be mistaken: he may be too indolent, or too busy, to enquire as to the facts which form the case of the applicant, or too ignorant to know how to deal with them; but his motives at least must be pure.

All that he gives is taken from his own means of enjoyment. The man who gives out of his neighbour's purse makes no sacrifice whatever. He indulges his sympathy without expense. It is obvious that this alone may be the source of unbounded profuseness. *Nemo tam parcus quin prodigus ex alieno.* But other motives soon step in. He finds that popularity and influence can be obtained; that his dependents or relations can be provided for; that his tenants and debtors may be rendered solvent; that his customers may be supplied with funds, and his labourers with wages. Hence came the maladministration which brought England to the brink of ruin.

Experience has now taught us a further principle—namely, that the check must be imposed, not on the giver, but on the receiver; that the extension of relief to unfit objects must be prevented, by requiring it to be accompanied by conditions to which none but fit objects will submit; and, for this purpose, that public relief must be so administered as to render the situation of its recipient less eligible than independence.

This is one of the points on which private and public charity most remarkably differ. Private charity strives to prevent its gifts from occasioning pain. It hides them from the world, and even from the object himself. It disguises them in the form of loan, or of employment. It wishes him to believe that what is really a gift is a payment, the result, not of his poverty, but of his industry and good conduct.

Public charity, on the contrary, must necessarily be open and avowed. Its distributors deal with other men's property; they are the guardians of a public fund. To escape the grossest jobbing and partiality, they must act on fixed principles. Their duty is not to reward industry or good conduct, but to relieve indigence. In attempting to perform this duty, they incur two great dangers: first, that indigence will be simulated; and, secondly, that when real, it will have been occasioned or promoted by the prospect of relief.

The labouring population of every country is condemned by nature to a life which is one struggle against want:

'Si brachia forte remisit
Ast illum in præceps proni fert alveus amnis.'

Hunger and cold are the punishments by which she represses improvidence and sloth. If we remove those punishments, we must substitute other means of repression. The pauper must purchase by some other sacrifice his immunity from the ordinary obligations of life; or, in other words, we repeat it, his situation must be rendered less eligible than that of the independent labourer.

It is obvious that this is not done, if the relief is afforded to him as a supplement to his other means of subsistence. If the Union pay the rent of his cottage, or give him allowance in aid of his wages, or head-money for his children, such relief is all pure gain to him. Without adverting to its other fatal consequences, it is sufficient to say that it renders his situation, instead of less eligible, more eligible than that of the independent labourer. The Union, therefore, must take possession of him. It cannot allow him to be a farmer or a labourer on his own account. It must provide, therefore, for his whole maintenance, and that of his family. And that maintenance cannot, even in England, be less abundant than that of an average labourer. In Ireland public opinion would require it to be even more abundant. The standard of wants, to which the low civilisation of the Irish labourer has accustomed him, is so depressed, that the Guardians would be execrated if they used it as a scale. What other modes then

remain, by which the object may be effected? Only two have been suggested—confinement in a workhouse, and public labour.

The propriety of enabling the Guardians, at their discretion, to afford relief to the ablebodied and their families in the workhouse, need not now be considered. They have that power by the existing law. The question is, can they, without sacrificing the principle that relief must be made less eligible than independence, be allowed to relieve them on the terms of their being employed on public labour?

To render that labour less eligible than independence, it must be worse-paid, or more severe, or degrading. Worse-paid we have shown that it cannot be. More severe it may be made in a few instances. A tailor may be easily fatigued by setting him to break stones, or a weaver by forcing him to dig; but an agricultural labourer—and such are the bulk of the Irish poor—cannot be forced to work for the public harder than he works for a master, or so hard. Even the convicts in our dockyards, who laboured under the eye of vigilant superintendents, and with the lash always before them, never did more than one-third of the work which would have been performed by workmen stimulated by wages. Degrading, without doubt, the employment might be made. The paupers might be harnessed, as our own were, to carts; they might be sent, as our own were, ten miles to carry an ear of wheat, and bring back an ear of barley; they might be set, as our own were, to dig holes and fill them

up again: but are these the terms on which a nation ought to offer its charity? If it were morally right, would it be safe, would it be practicable, to do so in Ireland? We know that it was not safe to do so in England. If it were safe, would it be justifiable? We have shown that parish employment under any form is corrupting. What must it be when it is intentionally an instrument of degradation?

In fact, the experiment of providing relief by public labour has recently been tried in Ireland. The late Government endeavoured to provide against the failure of the potato-crop by issuing a large sum of money to local relief-committees—to be expended in employing on public works those who could be proved to have no other means of subsistence; the wages in every case to be fixed below the usual rate of wages in the neighbourhood.

We have now before us an extract from a Treasury Minute of the 21st July 1846. It states that the ordinary resort of Irish labourers to England, for the purpose of participating in the high wages consequent on the getting-in of the hay and corn harvest, has been in some parts of the country suspended; that the great public works for the improvement of the Shannon, and for the drainage of the country, have, to a considerable extent, been left without workmen; and that the people employed on the relief-works have indulged in habits of indolence—preferring the receipt of an eleemosynary allowance, under the name of wages, to higher wages proportioned to the labour performed.

The alarm of the Treasury, as the following passage will show, was not without foundation:—

'We have delightful summer weather since Wednesday last, and the fast-ripening crops of grain are bending in all the fields around us under their glorious burden. Many acres of corn are ripe for the sickle, which is but partially at work; the harvest-helpers are employed by all the district relief-committees, making roads, filling gripes, and cutting hills. The farmers are unable to save the crops, wanting those labourers who have left their ordinary service to seek temporary work upon hills and roads. We seriously recommend the relief-committees to reduce the number of hands, and, were it only for a fortnight, to stay all further progress on public works, until the harvest-crop is saved from impending danger. Country gentlemen, magistrates, and clergymen of both persuasions, will see the absolute necessity of attending to this caution, and let the ablebodied labourers return, for one month at farthest, to their usual field-work.'*

We wish that the preference of employment as alms to independent labour—base as such a preference is—had been the worst fault exhibited by the Irish in their new state of ablebodied paupers. The same paper relates three distinct cases of outrage and riot, produced either by a diminution of the supply of eleemosynary employment, or by the exaction of the conditions on which it was supplied:—

* We copy this passage from the 'Limerick Chronicle' of the first week of August last.

'Mr. Thomas Dowling, steward to the Board of Cumass, in this county, was dragged out of his bed last night by a strong party of armed men, who beat him without mercy, inflicting several wounds on his head and body. His sister, who strove to save him from their vengeance, received two severe blows on the head, and one of the ruffians broke the stock of a pistol in striking their unfortunate victim on the head. Dr. Samuel Bennett was called up, after the party left, to attend the wounded man, whose life is in imminent danger. Dowling's presumed offence was, that he acted the part of a faithful and impartial steward.

'A number of armed men, on Tuesday night, assembled at Coonagh, and set to work, cutting a trench across the public road; after which they set up a stile-stone, and affixed thereto a notice, of which the following is a copy: —"Take notice, that Lady of Currafin has given a visit to the Thenorth libertie, to see how they are situated in labour; and now she sees that there are no public works carrying on there, and if it don't be carried on, that she must rebel against them, and if the put her to trouble of coming again, the may remark the consequences. Any man that Lays a hand to this job, that is Done by her Ladyship, he may remark the consequences after; but if the Farmers of this place enterfare, as they did before in this Business, Heavins and Mighty the will Get the Death of * * Let no person touch this job untel the work is laid out."

'A serious row was anticipated on the public works at

Kilmallock, on Thursday last, several hundreds of persons having assembled on Quarry Hill, outside the town, shouting out "Blood or work!"—forcing the implements out of the hands of persons employed there. The engineer, Mr. Dorman, finding it impossible to check their violence, aided by the police, under Constable Adderly, found it expedient to send for John Freke Evans, Esq., J.P., who was promptly in attendance. He called on the multitude to desist, and concluded, amidst shouts of applause, by promising them that their wants should be immediately attended to. Works to a large amount have been since ordered for this locality, by the Board of Works.'

In the last case, it will be observed, that the Justice of the Peace rewarded the rioters by a promise, 'that their wants should be immediately attended to.' It is no wonder that he concluded amidst shouts of applause.

We do not believe, however, that this is the manner in which a discretionary power to afford outdoor relief would be exercised. The Guardians would be deterred by its danger, its trouble, and its expense. They would abandon the principle of making relief less eligible than wages; and resort to the popular, the easy, and (as they would consider it) the comparatively cheap expedients of allowance in aid of wages, payment of rent, and head-money for children.

We know what were the results of these abuses in England. Have we any reason to suppose that they would be different in Ireland? Have we not irresistible grounds for affirming that the only difference would be

that they would be less gradual, but if possible more calamitous? The numbers apparently requiring relief would be much greater, the means of affording it would be much smaller, and the motives to fraudulent and profuse administration more powerful. In England the awarders of relief were the Justices. They had no *pecuniary* motive to sanction abuse. Their interest lay the other way. They suffered as ratepayers or landlords, and did not gain as employers or tradesmen. The overseer, indeed, if a farmer or shopkeeper, might profit by the relief which he gave to his labourers or customers; but he acted under a strict responsibility, and had to bear the loss if his payments were disallowed.

The bulk of the Irish guardians are small farmers, little removed from the class from which the applicants will come. In three out of the four provinces of Ireland—that is to say, in those in which tenant-right does not exist—they are tenants, forced, by the competition for land, to pay the utmost rent which the existing state of cultivation will allow. The rates, therefore, on whomever assessed, will really be paid by the landlords—landlords generally of a different race, of a different religion, and of different politics from their tenants, with whom they have little intercourse and no sympathy. Will the elected guardians resist the temptation of assisting their friends, at the expense of those whom they have been taught to think their enemies? If they are proof against solicitations, will they also be proof against threats? Will a guardian whose house is roofed with thatch, feel safe in

belonging to the economical party? What scenes will every annual election of guardians produce, when the landlord, feeling that his whole property is at stake, strives to coerce his tenants to vote for his nominees, and the priest heads the partisans of charity?

Although we believe, on grounds which we have endeavoured to explain, that to attempt to provide relief or employment for the Irish poor, by any of the means which we have considered, would be most mischievous, we yet think that there are measures by which those purposes might, to a certain extent, be safely effected. These are founded on the recommendation, to which we have already alluded, of the Irish Commissioners of Inquiry, as to the assistance of voluntary charitable associations.

The Commissioners recommend that all associations for charitable purposes be empowered to put themselves in connection with the Poor-law Commissioners; that they then be bound to conform to all such regulations as the Commissioners may make for their guidance; that each association annually transmit to the Commissioners, together with the accounts of its past expenditure, an estimate of its probable expenditure and probable funds for the ensuing year; and that the Commissioners be authorised to award to it, in aid of its own funds, such grant as they may think proper. The grant to be provided out of a rate, to be levied over the whole landed property of Ireland, and called in the Report 'The National Rate,' to distinguish it from other rates imposed on each district for its own local purposes.

It may be objected to this recommendation, in the form in which we have stated it, that it gives to the Commissioners a power of directing the application of a national fund to local purposes; which, in the hands of a central body, necessarily ignorant of details, and liable to fraud, would always be suspected of abuse, and not unfrequently with reason. This is true; and, instead of enabling the Commissioners to aid such associations to an unlimited extent out of a national rate, we think that the aid ought to be supplied to the associations in each union, out of the rates of the union, to an extent not exceeding one-third of the sum voluntarily raised—and only on the vote of a majority of the guardians present. The Commissioners ought to be empowered to disallow or to reduce the vote, but not to increase it. Such a measure could not do harm. The amount of the sum to be raised by rate would be limited —first, by the amount voluntarily given—secondly, by the will of the guardians—and, thirdly, by the controlling power of the Commissioners—and the Commissioners would prevent its being applied mischievously, or merely uselessly. But we think we can show that it would do good; and as that good would be unmixed, even if it were not great, it would be a sufficient motive.

It is a strong proof that this world is a place of trial, that none of our affections are absolutely good or absolutely evil. The medium in which excellence consists may, as to some emotions, be nearer to one extreme, as to others to the other; but it always *is* a medium. Even the malevolent passions may be deficient, and the benevo-

lent excessive. Charity is no exception to the general rule. Subjectively considered—that is to say, as respects the person *from* whom relief is asked—we believe that the more mischievous extreme is deficiency. We believe that the man who systematically rejects every application, injures his own mind more than he whose bounty is careless, and therefore indiscriminate. But, objectively considered—that is to say, as respects the *applicants* for relief, and the society of which they form part—we have no doubt that the balance of evil is on the side of profuseness.

The mass of mankind will not work for themselves, save for themsleves, or even think for themselves, if they can get others to do it for them; many will give up, and almost all will relax, their industry, activity, and forethought, if they believe that a substitute for their results is to be obtained from charity. Sometimes indigence will be counterfeited in the hope of relief, but more frequently it will be actually incurred. The candidate for alms lives from hand to mouth. Whatever he gets he wastes in immediate sensual enjoyment, or hoards in the form of money about his person. His claim would be diminished if he or his family showed an appearance of comfort. It would be diminished if he were known to be in regular work as a labourer, or successful as a little farmer or cottier. Indeed the professed mendicant, who relies on voluntary alms for his whole or his principal support, has seldom a fixed habitation. He would quickly wear out the charity of his neighbours; he becomes therefore a wanderer, and hence mendicancy and vagrancy are often

treated as synonymous. The wish to be what, in the language of the labouring classes, is called respectable—to appear to be above indigence, and even on the way to comparative wealth, is the great source of their improvement. It is the great source of their diligence, their frugality, their cleanliness, and their health. When this motive is not merely absent, but is replaced by an opposite desire—when the object of the family is to appear miserable, no one can doubt the certainty or the rapidity of its degradation.

To check mendicancy is, therefore, one of the most anxious tasks of a government which strives to improve the condition of its people. One expedient is to punish vagrancy; for vagrancy, as we have remarked, is the most profitable form of mendicancy. In many parts of the Continent the vagrant is what he was formerly in England —an outlaw, hunted down, whipped, and perhaps enslaved for life.

Sometimes the State endeavours to prevent the imprudence which leads to it, by prescribing to the labouring classes the employments which it thinks most for their benefit—by punishing idleness, and by impeding marriage. This is what is called paternal government, under which the people are treated as children, and denied freedom of action lest they should abuse it.

When these expedients fail, and they always do fail, the State sometimes tries to restrain the donor, as well as the recipient, by prohibiting indiscriminate almsgiving. This attempt also uniformly fails. Men will not co-

operate as prosecutors, or witnesses, or judges, in punishing benevolence, however misdirected.

Another expedient is to give to all the destitute a legal right to relief, and thus, in the words of the Poor-law Commissioners, to disarm the mendicant of his weapon—the plea of destitution. This is certainly a powerful damper of indiscriminate almsgiving. It enables the really charitable to confine their assistance to the cases which they have an opportunity of examining, and which on investigation appear to deserve relief different from that which the law affords. And it gives to the busy, the indolent, and the penurious, an excuse for indiscriminate refusal.

But we have seen that these advantages, such as they are, are generally purchased at an extravagant price. We have seen that—unless accompanied by conditions which, whether capable or not of being enforced in England, are certainly inapplicable in Ireland—a right to relief depending simply on destitution must in time destroy the property and the civilisation of the community which has been blind enough to grant it. The mendicancy of Ireland is frightful. It scatters contagion, moral as well as physical, through the country. But its mischiefs seem small, when we compare them to those which the pauperism of England actually produced. They disappear, when we compare them to those which that pauperism would have occasioned, if it had not been checked by the Poor-law Amendment Act; or to those which it will occasion, if the influence of that Act be materially impaired.

If, then, the evils of indiscriminate charity cannot, at least in Ireland, be checked merely by laws attacking it directly; if it be impossible, by direct legislation, effectually to prohibit mendicancy, or to prevent idleness and imprudence, or to punish almsgiving; and if to grant a legal right to relief would be ruin, the only remaining course seems to be that which we have proposed—viz., to encourage private charity, but also to regulate and direct it.

There exists, probably, no European community in which the tendency to charity is so strong as it is among the Roman Catholics of Ireland. It is strengthened by inveterate habit, by the constant presence of distress, by the consciousness in the mass of the population that they themselves may have to implore it, by a sense of religious obligation, by a belief that, through a constant intervention of Providence, it never impoverishes the giver, by a reliance on the efficacy of the beggar's prayers, and by a fear of Divine vengeance attendant upon his curse. It has not been checked by the existing provision for the poor, nor does it appear that any law can effectually restrain it. But, though it cannot be opposed, we believe that it may be guided. We believe that many of those who now throw out their alms to strangers, without knowing whether they are doing great good or great evil—whether they are relieving unmerited distress, or promoting imposture, idleness, and vice—would rejoice to have a channel pointed out for their charity in which it would be sure to be beneficial; and in which they would be able to superintend its application, and to trace its

results. If the greater part of the fund now employed in encouraging mendicancy were merely destroyed—if, like the gifts of an Eastern magician, the money could turn to leaves in the beggar's pocket—though no positive good would be done, much evil would be prevented. But, under the scheme which we propose, the purposes to which the rescued fund would be applied would have no ordinary utility. They would be eminently beneficial; for they would produce the same results as those which are produced by one of the most useful of human virtues —well-regulated private charity.

Compulsory charity, that which is supported by assessment, must, as we have seen, be rendered less eligible than independence. It must be made painful, and therefore is degrading. Private charity need not interfere with the habits of the recipient. It may sometimes be made an incentive to his industry—it may sometimes be a reward instead of a degradation. We do not mean to say that this ought to be its usual course: the interference of the higher classes in the concerns of the independent labourer, in any form except that of advice and sympathy, must be sparingly exercised; but the possibility of such an interference is an important difference between public and private charity. Another important difference is in point of expense. Public charity, as we have seen, must undertake the whole charge of the recipient. Private charity is never so efficient as when it comes in aid of his ordinary means—when it supplies an unexpected loss, or meets an unforeseen emergency.

The last remark which we have to make on the proposals for extending the Irish Poor Law is, that, so far as they are supported by a reference to the assumed success of the English Poor-law, they are founded on an assumption which may turn out to be premature. The evils which the unamended law tended to produce, were the most fatal with which internal causes have ever threatened a civilised nation. They amounted to no less than the ruin of all the proprietors, and the corruption of all the occupiers and cultivators of the soil. For nearly a century the mischief went on steadily increasing. Government after government tried vain expedients, or looked on in inactive despair. At length, the almost despotic power given to Lord Grey's Government, by the first Reformed Parliament, enabled it to apply a partial remedy. The 'Poor-law Amendment Bill' was passed, and the plague, though not eradicated, was stayed. The remedy might have been effectual, if the recommendations of the Commissioners had been followed, and the outdoor relief of the ablebodied prohibited by the Act. But Lord Grey's Administration, though the strongest that we have ever seen—the strongest that we are ever likely to see—thought itself unable to resist the habits of a century. The general prohibition of outdoor relief, which formed a part of the earlier drafts of the Bill, was struck out; and a clause was substituted, enabling the Commissioners to prohibit or allow such relief at their discretion. Out of the 595 unions into which England is divided, they have issued a prohibitory order to 478. But the order is subject to so

many exceptions, that, at the last return, out of 1,470,970 relieved, only 215,325 were inmates of the workhouse.

In the meantime, the operation of the Act has been subject to every form of unremitting, unscrupulous impediment. It was unavoidably unpopular. It diminished the power of the magistrates; it interfered with the frauds of the vestries; it forced the farmer and the manufacturer to pay their own workmen; and it offended the prejudices of the ignorant. The restrictions which it imposes on the pauper are to this extent *penal*—namely, that their object is to make pauperism less eligible than independence. Its advantages are diffused over the whole body of landlords, ratepayers, and labourers. It has saved the property of the two former, and the morals and freedom of the latter. The loss which it has occasioned is concentrated upon the comparatively few whose influence it has abridged, whose peculations it has checked, and whose powers of oppression it has destroyed.

The majority, as is usual, enjoy its benefits in indolent silence. The minority are clamorous and active. The unhappy error of allowing the Commission to be temporary has been a new stimulus to opposition, at every successive period of renewal. The newspaper press, with a few exceptions, have been sedulously employed to confirm the prejudices and inflame the passions of the half-educated—to pander to coarse tastes and political ignorance, by inveighing against the separation of the sexes, the enforcement of labour, and the want of recreation; and by stories of infanticide, on the refusal of a

pension to which the mother of a bastard was formerly entitled. Tory candidates in the counties, and Radicals in the towns, have proclaimed the tyranny of the Commissioners, the sufferings of the poor, and the wickedness of treating poverty as a crime; and have bid for votes, by promising to restore what they called, with Mr. Scrope, the 'Elizabethan Law.' It is true that few, perhaps none, were wild enough to intend seriously to perform this promise; but many have had the weakness to endeavour to seem willing to perform it. This has given to the Commons the appearance of hostility to the amended law. Those who have denounced it at the hustings have thought themselves forced to carp at it in the House. The Triumvirate has been a target in which every demagogue has endeavoured to fix his arrow. The assistant-commissioners have been reduced in number to nearly one-half; and yet the Commissioners have been held responsible for abuses, which they have not been allowed the means of detecting. They have been treated after the Egyptian fashion: the tale of bricks has been increased, and straw refused. They have been deprived of their organs, and then required to be omniscient.

Under the influence of all these obstacles, it is unquestionable that the administration of the amended law is retrograding. The following are the sums expended for the relief and maintenance of the poor, from Lady-day 1836, when the amended law may be said to have come into full operation, until the last return:—

| | £ |
|---|---|
| 1837 . . . . | 4,044,741 |
| 1838 . . . . | 4,123,604 |
| 1839 . . . . | 4,406,907 |
| 1840 . . . . | 4,576.965 |
| 1841 . . . . | 4,760,929 |
| 1842 . . . . | 4,911,498 |
| 1843 . . . . | 5,208,027 |
| 1844 . . . . | 4.976,093 |
| 1845 . . . . | 5,039,703 |

It will be seen that, during a period not merely of profound tranquillity, but of eminent prosperity, the expenditure has gone on increasing, until, in eight years, it has risen nearly twenty-five per cent. If its advance be not checked, it must in time eat away the whole rental. And if the landlords try to save themselves by shifting the object, instead of by repelling the attack; if they try to divert it, by offering to it funded property, or the profits of trade or professions, or the national revenue; if they weaken the local powers and motives of resistance, and trust our defence solely to central superintendence—though the ruin of the land may be deferred, the ruin of the country will be accelerated. We trust that we shall escape these, as we have escaped many other perils which seemed scarcely avoidable; but we must say that, of all the dangers to which we are exposed, those connected with the Poor Law are the most threatening. Scotland and Ireland are bound to study the experience of England, not as an incentive, but as a warning.

## RELIEF OF IRISH DISTRESS IN 1847 AND 1848.

[EDINBURGH REVIEW, October 1849.]

'I DO not hesitate to say that, in my opinion, there ought to be established between England and Ireland a complete equality in all civil, municipal, and political rights. When I say complete equality, I do not mean, because I know it is impossible, to have a literal equality in every particular. Here, as in matters of more sacred import, it may be that "The letter killeth, but the spirit giveth life;" I speak of the spirit, and not of the letter, in which our legislation should be conducted. I mean that there should be a real substantial equality, in political and civil rights; so that no person, viewing Ireland with perfectly disinterested eyes, should be enabled to say, "A different law is enacted for Ireland, and, on account of some jealousy or suspicion, Ireland has curtailed and mutilated rights." That is what I mean by equality. Let no one think I am making a reserve. I speak of the spirit in which we should legislate. I think it ought to be impossible to say that there is a different rule, substantially, with regard to the civil or municipal franchise in Ireland from that which prevails in England.'

Such was one of the most remarkable passages in the

memorable speech with which Sir Robert Peel closed his almost monarchical administration. It was one of the few passages which received cheers from the right as well as from the left of the chair. In those cheers we felt no wish to join.

We were not sure, when we heard these words, that we clearly understood them—we are not sure that we understand them now. The words Rights and Franchises, when applied to the mutual relations of a people and its rulers, imply theories which have long been abandoned. They belong to times when the Crown and the subject were supposed to have adverse claims;—when prerogative was the property of the one, and franchise the defence of the other;—when it was supposed to be the duty of the servants of the Crown to preserve, if not to augment, its power, and the duty of the representatives of the people to restrain and, if possible, to diminish it. These times have long passed away. It is now admitted that prerogative and franchises, the duty of ministers and the duty of knights and burgesses, have one single and common purpose—good government; that is to say, the government which will best promote the prosperity of the whole community. This is the right of the people against its government. It is the right of a union against its guardians, the right of a company against its directors, the right of a parish against its constable, the right of a client against its attorney. It is a right to have its affairs managed in the way most conducive to its welfare. In this right all other rights are merged; against this right no claim of the Crown, or of any

portion of the people, can prevail, or can be seriously urged. If Sir Robert Peel, then, when he claimed for Ireland equality of rights with Great Britain, meant merely to say that Ireland is entitled equally with England to good government—that she is entitled to be governed by the Imperial Parliament as she would be by a wise Parliament sitting in College Green—he announced a principle perfectly true indeed, but, we trust, perfectly trite. We trust that no one doubts that she is so entitled, and we saw little reason for cheering a self-evident proposition.

'We are ready to admit that the example of England must materially affect all Irish questions. There exists throughout the civilised world a principle, somewhat resembling that of gravitation, which enables the institutions, the customs, and even the conduct of every separate country to influence the conduct, the customs, and the institutions of every other. Of course this mutual influence is greater between countries both members of the same empire. And it is probably greatest when exerted over the remainder of an empire by that portion of it which is the seat of the imperial government. The laws of the metropolis may not be imitated by her provinces, but they certainly will not be disregarded. The administration of these laws, the spirit in which they are carried out, will certainly be imitated. If Ceylon had continued subject to Dutch dominion, it is probable that the text of her laws would not have been what it is now. It is certain that her laws, whatever might have been their text, would have been turned to very different purposes. If the government of

the dominant member of the empire be despotic, it will be difficult for those of the other members to be free. If it be constitutional, the others can scarcely remain despotic. The example of England made it impossible for Scotland to continue an aristocracy, with heritable jurisdictions and a nominal representation.

Even if there were good reasons for believing that Ireland would be better administered by a government framed on the late Prussian model, under laws enacted by the Crown, judges uncontrolled by juries, and with a press restrained by a censorship, no one would seriously propose to subject her to such a regimen. If she were a distinct state, it is possible that she might profit by following the example of Denmark—by surrendering her liberties to the Crown, and exchanging turbulence, almost amounting to lawlessness, for the tranquillity of an enlightened despotism. But it is obvious that, while the democratic and aristocratic elements prevail in the rest of the empire, a pure monarchy could not work well in a single portion of it. That a government must depend on affection or on terror, and that if it govern by terror it must govern ill, are propositions so trite that they have become elementary. But, with Great Britain by her side, Ireland could not acquiesce in the loss of her liberties, however unfit for her social state some of them may appear. Her monarch could rule her only by fear, and therefore would rule her ill.

But it is so frequently overlooked that we are bound frequently to repeat, that the people of England and

of Ireland—meaning here, by Ireland, the provinces of Munster, Connaught, some parts of Leinster, and the whole county of Donegal—are among the most dissimilar nations in Europe. One is chiefly Protestant, the other is chiefly Roman Catholic; one is principally manufacturing and commercial, the other almost wholly agricultural; one lives chiefly in towns, the other in the country. The population of the one is laborious, but prodigal; no fatigue repels them—no amusement diverts them from the business of providing the means of subsistence and of enjoyment; but they consume almost as quickly as they acquire. That of the other is indolent and idle, but parsimonious. They can lay up a provision for the current year, and consume it, not according to their wishes, but their necessities. They can earn the comparatively high wages of a richer country, save them in the midst of temptations to expenditure, and beg their way home without touching their store. But they leave their potato-grounds foul, merely to save the labour of weeding them; their cottages let in the rain, because they will not take the trouble to thatch them; a wake, or a fair, or a funeral, attracts from its occupations the inhabitants of a whole village. They can work for a master, and while his eye is upon them, but are negligent taskmasters to themselves.

The one country possesses a large middle-class, the other is divided between landlords and peasants: in the one the proprietors of the soil are connected by origin, by interest, and by feeling, with those who occupy it; in the other, they

are, in many cases, strangers, and, in almost as many, enemies. In the one, public sympathy is with the law; in the other, it is with those that break it. In England crime is infamous; in Ireland it is popular.

The parties which divide England have one common object, widely as they differ on the means by which it is to be obtained. All desire the welfare of the Empire; all desire to see it tranquil and prosperous at home, and respected abroad. They believe, often of course erroneously, that the measures which they support will do good, and that those which they oppose will do harm; and it is on that account that they oppose or support them. The most numerous of the Irish parties desires that the existing institutions of the Empire may work ill. It is delighted by the prospect of war, and gloats over the probabilities of defeat. It opposes whatever is likely to be useful, because it is likely to be useful, and rejects with loathing whatever is tendered to it as a favour or a grace. Colleges for secular instruction it denounces as godless; schools in which Protestant and Catholic may meet, are seminaries of infidelity, and a provision for its clergy is a bribe. It agitates for the sake of agitation; and selects for its avowed object an unattainable end, because it is unattainable—because its mischief cannot be tested by experience, or its stimulus deadened by possession.

To give similar treatment to countries not merely different, but contrasted, is prescribing the same regimen to the weak and to the strong, to the excitable and to the apathetic, to the sound and to the diseased. Yet this is

the treatment which we have applied to Ireland. Our law of real property, with its subtilties and its primogeniture—our equity, with its expense and its delays—our penal law, with its loopholes—our common law, with its puerilities—our habeas corpus, our trial by jury, our local magistracy, our free press, our popular elections, our freedom of association, our Established Church, and our Protestant creed—institutions which, by long practice, by constantly twisting and bending and hammering them, we have gradually moulded to our use—we have thrown into Ireland, as if whatever suits us must suit her. Except her constabulary, her national education, her paid guardians, and her Encumbered Estates' Court, she has not a single native institution. Our creed she has rejected—our Church she bears only because the Protestant landlord would gain by shaking it off. The rest she has accepted—some, because she had no existing system for such purposes; and others, because, whether conducive or not to the welfare of the people, they pleased at least their vanity,—or because she could not help it. Scotland has not been so managed. Though her Union long preceded that of Ireland—though she has been governed for nearly a century and a half by an Imperial Parliament—her institutions are mainly her own. She has her own land tenures, her own Church, her own civil law, and her own criminal law. They may be better or may be worse than those of England, but they are not mere copies. Of course we do not affirm that this difference in the treatment of Ireland and Scotland will account for the dif-

ference in their civilisation; but we have no doubt that it has been one of its principal causes.

We accept, therefore, Sir Robert Peel's doctrine of equality of rights in England and in Ireland, merely to this extent,—that in legislating for Ireland, we must legislate for her, not as if she were a distinct State, but as a member of the Empire. We must take into account the influence of the examples of England and Scotland on the feelings of her people; we must allow the democratic element to prevail to an extent which would be unadvisable if we looked merely to its immediate results; we must allow the people an amount of free action, which we know they will abuse, because worse evils even than that abuse will be produced if we restrain it. The elective franchise must not be left to wear out, though we may know that it will be used in returning Repealers; the press must not be silenced, though it be employed in provoking civil war; juries must be retained, though their verdicts may be liable to be warped by faction or by bigotry, or extorted by intimidation; the resident gentry must not be deprived of their magisterial jurisdiction, or the grand juries of their fiscal power, though we know that the one sometimes produces injustice, and the other peculation. But we refuse to call these necessities rights—we refuse to call our obedience to them concession or justice. When a physician, called in to prescribe for a man whose constitution has been injured by a long course of intemperance, allows him still to use stimulants, apparently injurious to his case, because he would be miserable, and perhaps

would sink altogether, without them, he does not call that permission a grant or a concession—it is simply a measure of expediency. He allows it merely because worse evils would follow its refusal. A people stands towards its government in the same relation as a patient to his physician—each has a right to the best possible treatment—neither can have more, and neither ought to be satisfied with less.

Unfortunately, to a certain degree for ourselves, and to a much greater degree for the other portions of the Empire, the people of England are prone, more perhaps than any other equally intelligent nation, to transfer to other countries their own notions; to suppose that they have the same wants and the same powers; to believe, in short, that their social system resembles ours even in its details. There is no subject on which we have done this more blindly or more mischievously than as respects the mutual relations of the owners, the occupiers, and the cultivators of land.

In England agriculture is generally managed by three classes of producers, known as landlords, farmers, and labourers. The landlord, with us, is absolute master of the land, subject to the qualified and limited interest which he may choose to concede or (to use the technical word) to *let* to his tenant; and he generally erects the necessary buildings, and makes the more expensive and permanent improvements. The farmer, in his turn, is master for the period of his tenancy, but is generally bound to treat the land in a predetermined manner, and

he gives up the possession, without remonstrance, the instant that his term has expired. It is his duty to provide all the moveable live and dead stock, the wages of the labourers, and the rates and taxes, and to pay periodically to the landlord, for the use of the land and buildings, a net fixed sum as rent. The labourer is hired by the year, the week, the day, or the job, provides nothing but his own person and clothes, and has no claim on any individual landlord or tenant, except for his wages. He has, however, a general claim, on the occupiers of the land constituting the parish in which he is settled, for full support for himself and his family, if he cannot earn sufficient wages, or is out of employ.

These are the rights which *we* associate with the words landlords, farmers, and labourers. And when we find, in other countries, persons who appear to stand towards the land, and towards one another, in analogous relations, we call them by the same names, and fancy that these names imply similar rights and liabilities.

'The first English conquerors of Bengal,' says Mr. Mill, 'carried with them the phrase *landed proprietor*, or landlord, into a country where the rights of individuals over the soil were extremely different in degree, and even in nature, from those recognised in England. Applying the term with all its English associations, in such a state of things, to one who had only a limited right, they gave an absolute right; from another, because he had not an absolute right, they took away all right; drove all classes of men to ruin and despair; filled the country with

banditti; created a feeling that nothing was secure; and produced, with the best intentions, a disorganisation of society, which had not been produced in that country by the most ruthless of its barbarian invaders.'*

With equal impropriety we have transferred our English notions into Ireland. There are *there* also persons *called* landlords, farmers, and labourers, but they resemble their English types in little but name. In Ireland the landlord has been accustomed to erect no buildings, and make no improvements whatever. He is, in general, a mere receiver of rent; his only relation to his tenants is that of a creditor. They look to him for no help, and, on the other hand, he can exercise over them little control. It is very seldom that he prescribes to them any system of husbandry, or, if he do so, that he can safely enforce it. He cannot remove them, if dissatisfied with their treatment of the land; still less can he do so for the purpose of throwing farms together, and introducing the processes which require large capitals and large holdings. Even at the expiration of a lease, the landlord who displaces the existing occupier is bold; the tenant who takes his place is rash. With the labourers the landlord has scarcely any relation whatever. If he have any demesne land in his own occupation, he may, of course, employ them in cultivating it. But this is seldom the case, or, to speak more correctly, seldom was the case, until the famine, by making the cultivation of land unprofitable, threw it in masses, waste and valueless, into the owner's hands. Farming by a

* *Mill's Logic*, vol. ii. p. 269.

gentleman is a trade still more unprofitable in Ireland than in England; and as the landlord does nothing for his tenants, of course he cannot employ labourers on *their* lands.

Again, the Irish farmer is not, like the Englishman, a capitalist, employing, on a tract of perhaps three hundred acres, a capital of 3,000*l.*, maintaining thirteen or fourteen labouring families, and paying 9*l.* or 10*l.* a week in wages. The Irish farmer occupies from six to twenty acres, the average extent of a substantial farm being perhaps twelve acres. The farm-buildings consist of hovels for the family, the horse, the cow, and the pigs—hovels built by the farmer or by his predecessor with stones and bog-timber, and roofed with turf. The value of these hovels, as a foundation for tenant-right, with that of the live-stock and seed, and a few instruments of agriculture, form the capital, which, on a farm of a dozen acres, may amount (exclusively of tenant-right) to 20*l.* or 30*l.* 'If I were on my oath,' said one of the witnesses in the Irish Poor Law Inquiry, 'I don't think there is any man with 10*l.* in my townland. The loss of a cow or two, or of 10*l.*, would either ruin a man, or make a man rich that got it; it would make a gentleman of him in a manner.'* The greater part of the labour required by his farm, so far as it is performed at all (for much that we should think requisite is neglected), is performed by the farmer himself, or by his family; for he seldom ventures to take a farm, or indeed can obtain one, which cannot be cultivated

* 1 Binns, p. 57.

principally by the united labour of the father and mother, sons and daughters. If the family be small, so is the holding.

The labourer, again, is not, like the English labourer, a mere cottager working on another man's land and for another man's benefit, and dependent for subsistence on his wages when in employment, and on his parish when unemployed. He is, in general, the occupier of a patch of land, from one to four roods in extent, manured for him by the farmer, on which he raises the potatoes that are to feed his family. For this, and for the site of his cabin, which he has probably built himself, he pays a rent worked out in labour. Thus, if the rent for the rood of potato-ground be 2*l.* a year, and that of the cabin 1*l.*, and his labour be estimated at 6*d.* a day, he works for the farmer 120 days. The rest of his time he gives to his own potato-ground, or to fairs or wakes, or to cowering over the fire; or, if he is active and enterprising, he comes over to assist in getting in the English harvest, leaving his wife and children to beg during his absence. And, if these resources are insufficient, he turns beggar himself.

Now, the classes known by the names of landlords, farmers, and labourers, in England and in Ireland respectively, must of course have some common attributes, or they would not have received a common name. But we have seen that they are separated by most important distinctions; and among these distinctions are many of their relations to one another, particularly those of the landlord to the labourer. In the agricultural district of England,

that relation nearly approaches that of feudal lord and serf. The labourer is entitled to be maintained in the parish to which, under the settlement laws, he is said to belong. From that parish, therefore, he seldom ventures to move, and to that parish, if he do remove and require relief, he is generally sent back. He is, therefore, *adscriptus glebæ*. He necessarily acquires or inherits some of the qualities of a serf; he is improvident, and he is helpless. But he is neither idle nor indolent. He is not idle, because he has never been accustomed to seek his pleasures in amusement: *il se divertit moult tristement* in the beerhouse. He is not indolent, because he has been always accustomed to associate labour with wages—to look at employment as the source of comfort, and want of employment as subjecting him to the insolence of the parochial authorities, and to the *ennui* of the workhouse. To which it must be added, that working under the eye of a master, or at piece-work, produces habits of unremitted industry, which cannot easily be acquired by the man who is his own taskmaster.

On the other hand, the responsibility of his support really falls on the landlord; for though the poor-rates are paid, in the first instance, by the occupier, they are, of course, eventually deducted from the landlord's rent: the landlord, therefore, has a strong interest in preventing the population of his parish from exceeding the number for whom there is profitable employment: and this interest is so obvious, that when there are more proprietors in a parish than one, they combine to effect it. The number of cottages

is carefully kept down; persons not entitled to settlement in the parish, or (as they are usually termed) strangers, are kept out of it, or, if sometimes admitted when single, are sent away as soon as they marry. The necessity of supporting all the settled labourers is a strong motive for employing them; and, in fact, they perform the whole agricultural work. To a considerable extent they are employed in the execution of the improvements which are effected in England by the landlords; but their principal employers are the farmers, whose time is spent in superintending their farms, and disposing of the produce, not in following the plough or using the spade themselves.

Such were landlords, farmers, and labourers, in England and Ireland respectively, when the potato-crop failed in both countries. The consequence in England was distress; but as the English, like every civilised nation, use many different kinds of food, and employ a large portion of their incomes for purposes other than the purchase of food, the difficulty was met by an increased consumption of other articles, which would otherwise have been given to domestic animals—by a large expenditure in the importation of food from abroad—and by a diminished expenditure in clothes and other commodities not absolutely indispensable.

In Ireland the consequence was Famine—a calamity which cannot befall a civilised nation; for a civilised nation, as we remarked before, never confines itself to a single sort of food, and is therefore insured from great scarcity by the variety of its sources of supply. When

such a calamity does befall an uncivilised community, things take their course; it produces great misery, great mortality, and in a year or two the wound is closed, and scarcely a scar remains.

This, however, was a conduct which it was impossible to adopt in 1847. The course which an uncivilised country must have taken—which must have been taken by Ireland if it had not formed part of the United Kingdom—was not open to a country with the power and the responsibility of England. The English resolved that the Irish should not starve. We resolved that, for one year at least, we would feed them. But we came to a third resolution, inconsistent with the first, that we would not feed them for *more* than a year. How then were they to be fed in 1848, supposing their previous support, the potato, to fail again, either by disease or for want of cultivation?

The answer, according to English notions, seemed obvious: 'Of course they must be supported by poor-rates. Property has its duties as well as its rights. The first duty of the landlords is to employ and support the poor. Bring in a Bill extending the Irish Poor Law; commanding the appointment of relieving-officers throughout Ireland; commanding them to relieve all the destitute; commanding the guardians of every union to raise the necessary funds; and, if they fail to do so, commanding the Poor Law Commissioners to appoint paid officers in their stead, with unlimited powers of taxation.'

The opposers of such a measure argued that the landlords of Ireland have not, like the English landlords,

succeeded to their estates subject to the burden of supporting or employing their poor; that this is no more their peculiar duty than it is that of the tailors of Ireland, or of the druggists of Ireland; that they are not, like the English landlords, assisted in the performance of that duty by a strict law of settlement, by a firm administration of justice, and by the habits of five centuries; that as to employing the poor, it was out of their power, since they had scarcely any land in their own occupation, and could not interfere with that held by the farmers; that the rental of England subject to poor-rates is between eighty and ninety millions, and that of Ireland about fifteen millions; and that the burden which one country bears with difficulty, would crush the other within a very few years after it was imposed. And they asked, whether an Irish lodging-house-keeper is bound to maintain all those who have established themselves in his apartments; or an Irish innkeeper all who have forced their way into his tap-room? And whether occupying a hovel on a hillside gives to the occupier and his family any better right to require the owner of the soil to support them for ever, than would be acquired against the owner of a house by a family who had hired one of its garrets? The usual answer of the English vulgar, both in Parliament and out of it, was, 'The English landlords support their poor—therefore the Irish landlords must do so too;' forgetting, or perhaps not choosing to know, that the class which we call landlords in Ireland differs from that which we call landlords in England, and differs precisely in the points in

which, to enable a Poor Law after the English fashion to act safely, it ought to coincide.

The Act of 1838 had instituted a system of legal charity under strict limitations. Under its provisions Ireland was divided into 130 unions, and subdivided into 2,050 electoral divisions,—the average population of a union being 62,884 persons, and its average area 160,000 statute acres; the average population of an electoral division being 4,000 persons, and its average area 9,200 acres. The unions are provided with 130 workhouses, erected at the cost of about a million sterling, lent by the imperial treasury. With one exception, that of Newtownards, the Irish unions have repudiated this liability; and, while making use of the workhouses, are allowed to refuse or to neglect to repay the principal, or even any interest. Each electoral division in a union contributes its share to the general expense of the establishment; and is charged separately, in account with the union, for the expenses of the paupers who were resident in it when claimants for relief. So far it resembles an English parish. But, instead of rating itself for those purposes, as is done by an English parish, it is rated by the union, and the rates, instead of being collected by its own officers, are collected by the officers of the union. A more important difference respects its area and population. Those of an English parish are, respectively, about 2,500 acres and 1,050 persons. Those of an Irish electoral division are, as we have seen, respectively 9,200 acres and 4,000 persons. Another important difference is the incidence of the rate.

In England the whole is primarily paid by the occupier. It is only circuitously, and when a new bargain is to be made, that it falls on the landlord, and then only as a deduction from his rent. In Ireland the landlord, called there the immediate lessor, pays the whole rate where the tenement is rated at less than 4*l.* a year, and *half* of it—and practically, in many cases, more than *half*—when the rent is higher.

We have said that it was a system of legal charity carefully restricted. No right to relief was conferred, no obligation to afford it was imposed. The guardians were merely *authorised* to relieve such destitute persons as they, in their discretion, should think fit, and to relieve them only in the workhouse. The check on the abuse of their discretion was a power in the Poor Law Commissioners, in case a board should neglect to perform its duties, to dissolve it, and order a new election; and in case of a repetition of the neglect, to dissolve the new board, and appoint paid officers to exercise its powers.

During the whole of 1846, and the greater part of 1847, the question as to the maintenance or the extension of the Irish Poor Law was debated vehemently, but certainly not more vehemently than its importance required:

> Neque enim levia aut ludicra petebant
> Præmia.

Those who demanded for the Irish people a right to relief, unlimited in extent and unrestricted in form, believed that they were asking for something possible, and useful, and just. Those who resisted that demand believed that they

were resisting a measure, incapable indeed of complete execution, but quite capable, even in the imperfect degree in which it might be carried out, of destroying what property remained to the landlords, what capital was possessed by the farmers, and what industry, and providence, and domestic affection belonged to the people of Ireland—that they were resisting, in short, a gigantic engine of confiscation and demoralisation.

A Select Committee was appointed, by the House of Lords, to enquire into the laws relating to the destitute poor in Ireland. It sat from February till June, examined about fifty different witnesses, almost all of whom had been long and actively engaged in the administration of the Irish Poor-law, and concluded its labours in a manner now unusual in Parliamentary Committees, by agreeing on a Report.

As the result of their enquiry, they state that they 'do not hesitate in expressing their decided opinion, that the introduction of *any* system of outdoor relief would be dangerous to the general interests of the community, and more particularly to the interests of the very class for whose wellbeing such relief was intended.'

The Government adopted a middle course. It did not venture to withstand directly the English clamour, which required that the property of Ireland should support the poverty of Ireland. It did not venture to stand by the existing law, which, restricting relief to the workhouse, gave to the guardians a discretionary power to grant or deny it.

But it refused to confer on the ablebodied any *right* to relief; or to authorise the guardians to give to them out-door relief except in food, and under the sanction of the Commissioners, and only when the workhouse, from being full or infected, might be unfit for their reception. The Government further proposed to provide workhouse-room for the ablebodied, by authorising outdoor relief to the impotent, and to make the relief of the latter, either in or out of the workhouse, a duty incumbent on the guardians.

The Poor Law Extension Act was passed on June 8, 1847, but cannot be said to have taken full effect until October 1, 1847. It has now been tried, therefore, for only about fifteen months—a time certainly not sufficient to enable us to ascertain from experience what will be its ultimate effects if it remain unaltered, but enough to show what is the direction in which the vessel is steering or drifting, and what is the course to which the helmsman is endeavouring to keep her.

Of these fifteen months, we have detailed information respecting the first eleven, the last monthly return which we have seen ending August 31, 1848. It is, perhaps, not unfavourable to a fair estimate of the working of the law, that our information should terminate where it does. In September rumours of another potato failure were spread, and that alarm must have interfered with all social arrangements during the remainder of the year. But the preceding eleven months were disturbed by no peculiar physical calamity. They were not, certainly, a

period of prosperity. But they were not a period of famine. There was distress; but it was the result of insecurity, or idleness, or despondency—not of the seasons. It was the act of man—not of God. The Poor Law Commissioners thus characterise the earlier portion of it, in their First Annual Report, dated May 1, 1848:—

'The general harvest (of 1847) was for the most part prosperous; and, contrary to much prediction on the subject, the potato-crop showed itself almost universally free from blight, and the produce has since remained generally sound, as is proved by the state of the seed brought into market in this and the last month. The characteristic of the present season has been, the very small breadth of land planted with potatoes, causing the great price to which they rose in the market so early as the months of October and November.

'On the other hand, the large importation of Indian meal into the country has so far reduced the price of that and other descriptions of meal, that the money-cost of human subsistence is not much greater now than in seasons when the potato was in greatest abundance.

'Under these circumstances, it was to be expected that the pressure of distress would not show itself so uniformly over the face of the country as in the preceding year. In districts where capital flowed freely, and employment was presented to the people, even at moderate wages, they would fare better with the present kinds of food at the present prices than in former seasons. On the other hand, where, from want of enterprise or capital, employment

did not present itself, the peasantry, being without the usual resource of potatoes, would necessarily fall into severe privation.'*

We are not sure that the last paragraph is not an example of the besetting sin which we have already remarked as misleading those who speculate on Irish matters—the transferring English notions to that most un-English society.

It seems to assume that the bulk of the Irish, like the bulk of the English, depend on wages—that they are maintained, like the English, by the flow of capital, and by employment being presented to them. The bulk of the Irish peasantry are their own employers; the capital on which they depend is not something flowing from without, but the result of their own labour, and of their own frugality. And nothing is more striking, in the long and intricate history of Irish distress, than the intimate connection of much of that distress with the carelessness, the inactivity, and the improvidence of the sufferers. We will illustrate this by a few extracts, taken almost at hazard from the vast pile of blue-books which form the Relief literature of 1847 and 1848.

Extract from the evidence of the Rev. H. Montgomery, taken by the Lords' Committee on Colonisation from Ireland, June 18, 1847:—

'I have travelled through a considerable portion of Ireland in the course of the last two years. From Roscommon to Clare on both sides, but especially on the Con-

* Report, p. 8.

naught side of the river, I saw an immense population, apparently almost entirely unemployed, even in the early part of the harvest. In Roscommon, in Galway, and in Clare, there were tens of thousands of people who appeared to be entirely idle, their fields overgrown with weeds, their houses in a state of ruin, their persons foul and wretched, and altogether in a state of destitution which I did not believe existed in any portion of the world. The idleness appeared to be universal; I saw scarcely any man working. The fields were overgrown with weeds. You might know a potato-garden by seeing a green leaf occasionally appearing amidst luxuriant weeds, whilst men and women were standing about, or lying in the ditches in perfect idleness.' *

Messrs. Lecky, Thomas, and Carey, the vice-guardians of the Ballinrobe, Castlebar, and Westport Unions, to the Poor Law Commissioners, August 21, 1847:—

'Every holder of a small tenement cultivates his own land, and requires no assistance beyond his own family; and when his crops are sown, there is no one to give him a day's work: his neighbour is in the same predicament with himself, and the domains of the gentry are few and far between. The very low price of labour here is the natural result; for, even in the busy time of harvest, the reaper receives, in general, no more than 8*d.* or 10*d.* per day, without food.

'As to the disposition of the labouring classes to find employment for themselves, an observer must arrive at

* Minutes of Evidence, p. 112.

rather an anomalous conclusion. Experience proves that large numbers of both men and women yearly migrate to other lands to seek employment, and endure much hardship and privation in order to accumulate a small hoard, with which they return to their families; and yet, at home, the same individuals do not exhibit the same energy of character, neglecting many advantageous employments on their own gardens, in cleaning, weeding, and cultivating the land—and this at a time when the Government has been generously and lavishly supplying all their wants as to food. On Thursday morning last, on a journey of twenty miles from Westport to Ballinrobe, between the hours of 7 and 11, we did not remark a single individual in the fields, and only a few drawing turf from the bogs. And yesterday, between Ballinrobe and Castlebar, except in one or two meadow-fields, we made the same observation. If they had the disposition to work, even for themselves, supplied as they are and have been, there is abundant opportunity; but we fear the disposition of the peasantry for honest labour and employment has been deeply and injuriously affected. We are often asked if there will be any public works, and to those we are convinced the people would fly with avidity, as there they would receive as much as their usual rate of wages, and be able to loiter away the time in pretended labour.' *

Captain Kennedy, Inspector of the Kilrush Union, to the Commissioners, February 24 and March 16, 1848:—

* Papers relating to the Unions and Workhouses in Ireland (Fourth Series, 1847), p. 41.

"All who received relief last year (45,000 out of a population of 82,353) expected its continuance, and still continue to importune and besiege the relieving-officer. The great difficulty and danger here is in relieving a people who are not disposed to help themselves; and the landlord and tenant class set them the example of doing nothing. They all alike seem ignorant of the use of land, labour, or capital. The farmers who have money job in meal, instead of growing it. I have no doubt that a large portion of the union will remain uncultivated, the land wasted by a succession of corn-crops, and the occupiers without means or manure to put in any other.' *

'They (the occupiers) seem determined,' says Mr. Hamilton, the Inspector of the Ballina Union, 'to hold on by their spots of land, in the vain hope that Government will both feed them and crop their farms. I was told by a most respectable person, that there are many farmers in this barony (Belmullet) who had plenty of seed last year, but did not sow a single field, in the hope that some person would do it for them; and the same want of energy appears to exist among all classes at this moment.' †

We have somewhat detailed statistics of the electoral division of Belmullet, from which Mr. Hamilton writes; and of the adjoining division of Binghamstown, both in the union of Ballina; and of the union of Kilrush, in the county of Clare. They contain, together, 182,376 acres; the population, according to the census of 1841, is 22,775;

* Sixth Series, 1848, pp. 796, 797—804.

† Fourth Series, p. 87, November, 1847.

and the net rental, according to the Poor-law valuation, 10,922*l.* The number of persons rated as occupiers of land, according to the last return, was 392.

By the agricultural returns of 1847, which were made up in October and November in that year, it appears that, of these 182,376 acres, inhabited by 22,775 persons, only 2,775 acres were then in cultivation, and that they were cropped as follows:—

| | Acres. |
|---|---|
| Barley | 451 |
| Wheat | 2 |
| Oats | 1,057 |
| Bere | 5 |
| Rye | 20 |
| Beans | 3 |
| Potatoes | 298 |
| Turnips | 500 |
| Mangel-wurzel | 25 |
| Flax | 8 |
| Other green crops | 14 |
| Meadow and clover | 392 |
| | 2,775 |

or, deducting the 400 acres of flax, meadow, and clover, 2,375 acres producing food consumable by man—about one acre to ten persons.

Such was the state, in 1847, of a district containing a larger area than the county of Middlesex, and a larger population than the county of Rutland.

The following returns show the progress of outdoor relief in numbers, beginning from the earliest period for which we have seen a return, the week ending the 5th February, 1847:—

| Week ending | Persons. | Week ending | Persons. |
|---|---|---|---|
| 5th Feb. | 445,476 | 11th March | 613,563 |
| 12th Feb. | 464,002 | 18th March | 568,834 |
| 19th Feb. | 538,078 | 25th March | 639,713 |
| 26th Feb. | 537,987 | 1st April | 643,999 |
| 4th March | 654,712 | 8th April | 638,141* |

From this period up to the end of August, we have monthly returns. In April the average number of persons receiving outdoor relief was 722,729; in May it was 749,837; in June, 805,653; in July, 829,352.

The monthly returns contain an important table, stating the proportion per cent. of persons relieved to the population of 1841. Omitting decimals, it stands thus:—

| 1848. | | | 1848. | | |
|---|---|---|---|---|---|
| May. | Ulster | 3 per cent. | June. | Leinster | 7 per cent. |
| | Munster | 14 per cent. | | Connaught | 25 per cent. |
| | Leinster | 7 per cent. | July. | Ulster | 3 per cent. |
| | Connaught | 22 per cent. | | Munster | 15 per cent. |
| June. | Ulster | 3 per cent. | | Leinster | 6 per cent. |
| | Munster | 14 per cent. | | Connaught | 26 per cent. |

So that, at the end of July 1848, more than a quarter of the population of Connaught were supported either by poor-rates or by England. In many unions, of course, the number thus supported far exceeded this average. Thus, in Castlebar the proportion in July was 44 per cent., in Ballinrobe 58 per cent., and in Clifden 63 per cent.—the number supported by alms being about double that of those who maintained themselves.

Such have been the results of the Poor Law Extension Act, so far as they are expressed merely by figures. We now come to its moral effects.

* Papers relating to the Unions and Workhouses in Ireland, Sixth Series, p. 1037.

Under the Act of 1838, confining relief to the workhouse, a test—and, as experience showed, a sufficient test—of the applicants' destitution was afforded by the terms on which relief was given. Though the food, the lodging, and the clothing of the workhouse are, and indeed must be, far superior to those of the cabin, or even of the cottage; yet, such is the dislike among the Irish peasantry of cleanliness, of order, of confinement, and of regular work, however moderate,—such their love, to use Captain Wynne's expression, 'of a combination of dirt, smoke, and warmth,'* —that all but the really destitute avoided it, and none were willing to become destitute in order to be entitled to enter it. And as the inhabitant of the workhouse was powerless,—as he had no means of paying rent or giving labour,—relief in the workhouse was not likely to be made a matter of jobbing or abuse. But, of course, as soon as out-door relief became lawful, there was a general rush, on the part of the peasantry, to turn it into a means of support, and on the part of the smaller landlords and farmers to make it a source of rent or of underpaid labour.

The 4th, 5th, 6th, and 7th volumes of correspondence, 'On the Relief of Distress and State of the Unions in Ireland,' show these feelings in action.

One of the most instructive and earliest exhibitions took place in the Newcastle Union, in the county of Limerick. It contains 171,862 acres, 60,000 persons, and the Poor-law valuation is 109,499*l.* The total extent of land under crops

* Papers relating to the Unions and Workhouses in Ireland, Fifth Series, p. 164.

in 1847, exclusive of flax, meadow, and clover, was 24,298 acres; including them, it was 38,722 acres. The horses and mules were 3,569, and the cattle 25,308. Among its thirteen electoral divisions is Ballingarry, containing 8,679 persons, and 17,735 acres, of which 5,094 were under crops, exclusively of flax, meadow, and clover.

On the 3rd of October, 1847, a memorial from 'the starving poor of the parish of Ballingarry' was presented to the guardians, of which we extract the conclusion:—

'There is a God above all, and to His righteous judgment we appeal against your cruel and unnatural neglect of our interests and vested rights!

'We call upon you at once to relieve the class you are legally qualified to relieve, and to obtain, without a day's delay, the powers necessary to save from death those among the ablebodied who are in danger of dying of hunger. It may appear to you, gentlemen, that the ablebodied poor cannot be reduced to such dreadful extremity; but we appeal to our neighbours of the ratepaying classes —we appeal to our clergymen, we appeal to circumstances, to verify our assertions. There is no employment, no harvest-work, no drainage, not a single acre in this parish —there are no potatoes; whence, then, are we to procure means to buy meal at 19*d.* the stone? Our circumstances, we solemnly tell you, are intolerable and desperate; but, even if it were otherwise, it would not justify you in the least. There are certain classes entitled at all times to outdoor relief, because they are presumed, and truly presumed, by the law to be destitute; and have you given a

single pound of meal to the hundreds in the union included in that unfortunate and peculiarly squalid and miserable class? We ask for right—we ask for justice—we ask for the law. We appeal to God, we appeal to public opinion, we appeal to the Government, to secure for us at your hands that which you justly owe us, and which, up to this hour, you have illegally and culpably, and at the expense of a frightful amount of human suffering, withheld from us!' *

The result was, that the Commissioners issued an order, under the Poor Law Extension Act, dated the 1st November 1847, authorising outdoor relief to the ablebodied in the Newcastle Union—the first order of the kind which was made.

The following extract from the minutes of the guardians, of the 23rd November 1847, shows the effect of the order, and the degree of trust to which the Ballingarry manifesto was entitled:—

'Over 1000 ablebodied persons from Ballingarry, and other electoral divisions, appeared in front of the workhouse, requiring outdoor relief; 49 *of whom only came into the workhouse, though there are still* 60 *vacancies.*

'The army and police were in attendance, information having been given to Sub-Inspector Coppinger, by the master, of the intended gathering of these persons.

'Several ablebodied labourers came before the board, requiring outdoor relief. Captain Maxwell, the Poor-law

* Papers relating to the Unions and Workhouses in Ireland, Fourth Series, p. 176.

Inspector, informed them that it was contrary to law to relieve them outside while there was room in the workhouse, and stated that they would be received at the present moment should they wish to come in; but they declined.'*

A few more extracts will show the progress of outdoor relief:—

In November 1847, Captain Maxwell informs the Commissioners, that in the village of Ballingarry alone there are 1690 inhabitants, and no less than 1519 are on the relief lists; of these, 126 are tradesmen.†

On November 22, the Commissioners require Captain Maxwell to call upon each relieving-officer to explain the course which he had pursued, and, if necessary, to take the evidence on oath, on the same subject, of intelligent individuals who have witnessed the relieving-officer's proceedings. On the 24th he answers:—

'In obedience to your instruction, I examined each relieving-officer, and I find that *none* of them have acted up to their instructions. They have but in very few instances visited the dwellings of the applicants for outdoor relief. They have not made themselves personally acquainted with the circumstances of each case in their district. At first they contented themselves with admitting on their lists every person recommended to them by the ratepayers, but latterly considerable reductions have been made. They plead "*that their lives are not*

* Fourth Series, p. 187. † Fifth Series, p. 219.

*safe, if they strike off or refuse applicants for outdoor relief.*" '*

On December 24 he says that a witness 'accused the relieving-officer of partiality, but he refused to give me any information on that head, or clue to get at the truth; and said he dare not do so—that his life would not be safe if he did. I regret to state that, in my opinion, this feeling is universal. The feeding of 40,000 persons, out of a population of 60,000, during the last year, has been the cause of incredible mischief in this district.' †

There is something remarkable in the early period at which outdoor relief was endeavoured to be enforced by intimidation:—

'There are few gentlemen,' says Captain Gilbert, the Inspector of the Sligo Union (writing December 8, 1847), 'throughout this hitherto peaceable union who have not received threatening notices; and those who have distinguished themselves most by benevolence and attention to the wants of the poor during the last distress have been particularly marked out.' ‡

'There is a feeling,' says Mr. D'Arcy, Inspector of the Ballyshannon Union (writing in November, 1847), 'of general insecurity abroad: some of the *ex-officio* guardians left the board-room early, not wishing to be out after dark.' Captain Johnston mentioned that a report that he was shot had been very general in Sligo; and that it was ominous, as there were frequent instances, where murders

* Papers relating to the Unions and Workhouses in Ireland, Fifth Series, p. 209.

† Ibid. p 210. ‡ Fourth Series, p. 95.

have been committed, of such rumours preceding them. Mr. Dickson stated to me, that as he drove into the town, one man remarked to another, alluding to him, "That is the man who is not afraid to drive alone," which showed that the minds of the people were occupied with such subjects.'*

The Kilrush Union is a sample—and, we are inclined to think, a fair sample—of the general state of the county of Clare. The Poor-law valuation is 59,459*l.*; the population in 1841 was 82,353; the area is 168,021 acres, of which, in October 1847, 42,627 were under crops. Flax, meadow, and clover took up 7,870 of these, leaving 34,757 for food capable of human use—a proportion more favourable than the average of Connaught. The horses and mules in 1847 were 5,545, the cattle 23,327.

We shall give its history for a few weeks at some length:—

*Captain Kennedy to the Commissioners, November* 25, 1847.—'I attended the weekly meeting of the Kilrush Board of Guardians yesterday.

'There was a serious press of applicants (many of them removed from want), owing to some popular misapprehension about outdoor relief. An offer of the workhouse dispersed them. There were several notoriously bad and turbulent characters among the crowd, whom I observed counselling and inciting the others to clamour for outdoor relief and public works.

* Papers relating to the Unions and Workhouses in Ireland, Fourth Series, p. 103.

'The north and west of the union, including the divisions of Kilmurry, Kilmacduane, Killard, Kilkee, and a part of Moyarta, are in a most lamentable state. The parts on the coast are most densely populated, with a turf-digging, seaweed-gathering, fish-catching, amphibious population—as bad fishermen as they are agriculturists. They have no regular mode of gaining a livelihood. They are inert, improvident, and utterly without foresight. Lavish and constant expenditure may keep them from starvation, but it will require years of good management and well-devised measures to make them independent or self-supporting. A few acres of reclaimed bog planted with potatoes has heretofore supplied their wants, and rendered them content on the lowest possible scale of existence.

'The district seems swept of food. The small farmers are realising their produce, which they are afraid to keep. In the district I have remarked upon, I believe one-third of the population will be utterly without food at Christmas, two-thirds starving before February, and the whole devoid of food or money before May.

'I cannot doubt that all holding over ten acres (though a small class), are much better off than they appear or are willing to admit. I have no fears for them. In many cases they have withheld both rent and produce from the landlord, living in a state of unwholesome expectancy of some great social or political change.

'Intimidation paralyses all, from high to low.'*

* Papers relating to the Unions and Workhouses in Ireland, Fifth Series, p. 383.

'Many of the habitations are no better than a fox-earth, and the inmates, in their appearance, clothing, and mode of living, hardly human. This class are comparatively content and uncomplaining.

'Their mode of scratching the land does not deserve the name of cultivation. Their attempts are inferior to what I have seen among North-American Indians.

'This division [Moyarta] contains upwards of 10,000 inhabitants upon 13,000 acres, and the net annual value is under 5,000*l.* Without potatoes, it is a permanent pauper colony; the swarms of children incredible.'*

*Captain Kennedy to the Commissioners, December 2,* 1847.—'I have the honour to submit a report of the following occurrences, for the information of the Commissioners. On my arrival at the workhouse, at eleven o'clock a.m., yesterday, I found about 1,000 persons assembled in the neighbourhood, and evidently bent upon some general move. I was not long kept in suspense. A few minutes only elapsed, when a general cry for outdoor relief was set up, accompanied by unmistakable symptoms of turbulence and riot—a plentiful crop of blackthorn sticks appearing above the heads of all.

'At this time a continuous stream of people was observed approaching from the Kilkee district. Colonel Vandeleur, the chairman of the guardians, and the sub-inspector of

* Papers relating to the Unions and Workhouses in Ireland, Fifth Series, p. 385.—According to the agricultural returns, Moyarta contains 8,597 persons and 15,642 acres, of which 4,086 are under crops. It appears, therefore, to have been in a better state than the average of Connaught.

police, had gone to Kilkee on magisterial business; but meeting such crowds heading to Kilrush, and learning their object, he prudently returned with the sub-inspector. Seeing the complexion of matters at the workhouse, where the mob had increased to about 3,000, he ordered up the police, and subsequently the detachment of troops quartered here.

'The leaders of the mob, seeing that measures were taken to repress any attempt at violence, left the miserable and really destitute to gain admission, after being nearly trampled to death. The sufferings of the aged and infirm, women and infants, trampled upon and trodden down, were really heartrending. About 300 were subsequently admitted.

'The fact that only about 300 out of 3,000 applied to come into the house, denotes the object of the demonstration.'*

'*December* 16, 1847.—'There is an utter absence of employment of any kind, and the idea seems to be abandoned by the poor themselves. A few days since, a large number of spades were required for the paupers trenching the workhouse ground, and, on enquiry, I ascertained that any number, up to some hundreds, could be obtained secondhand (but good as new), from pawnbrokers and others in the town, for 7*d.* each, sold or pawned by their indolent or despairing owners.

* Papers relating to the Unions and Workhouses in Ireland, Fifth Series, p. 386.

'A great breadth of the land is in stubble, and this they have no capital or manure to crop, and, worse still, no energy.'*

On December 23, Captain Kennedy again writes to the Commissioners:—

'On the 20th instant, when I visited the workhouse, I found about 200 men congregated in the day-room with a blazing fire. I enquired why they were not at work, and was answered by a universal clamour, that they were unable. I sent for the medical officer, and had them individually inspected: about thirteen only of the whole number were passed by him as infirm. The remainder I ordered to be put to work in the yard, breaking stones, under gangsmen, remaining till I saw it in operation—at the same time explaining that their rations would be stopped if a fair amount of work were not done. The result was, that these men and their families, to the number of 100, demanded their discharge that evening, and 121 more on the following day.

'I fully ascertained that these persons came into the house without any necessity or intention of staying, but in the expectation of being discharged on "outdoor relief." When the house became crowded, many of them candidly avowed it.

'I have no doubt that an organised plan to swamp the house in this manner has been suggested to the people, and was for the first time attempted on the 5th instant

* Fifth Series, p. 387.

(*vide* my report of that date), and was only defeated by the energetic measures adopted.

'Many come into the house, who, on being searched, possess sums of money varying from 1*s.* to 8*s.* and 10*s.*; and one inmate of the workhouse, not many days ago, laid a complaint of having been robbed of 25*s.* in the house.'*

And again, on December 30:—

'About twenty ablebodied paupers, with their families, have claimed their discharge this day, which will reduce the number about eighty.

'These persons came in for the purpose of qualifying for outdoor relief, and, finding no immediate probability of succeeding in their object, left the house, voluntarily, without it. A large number have quitted during the week, from the same causes and on the same conditions. The being put to work, and obliged to observe personal cleanliness, are conditions they will not submit to, unless they are absolutely destitute.

'Every day's experience convinces me of the danger of giving outdoor relief to any of this class, and the necessity of resisting to the utmost limit which prudence or humanity will justify.

'I had difficulty in inducing the guardians to adopt this system: trouble to the officers, irregularity, danger of infection, &c., were urged against it.

'They receive relief in food only, and are quite content with their allowance of meal. Their habitually wretched

* Papers relating to the Unions and Workhouses in Ireland, Fifth Series, p. 391.

scale of existence renders them content with anything, and fuel costs them nothing.'

Verbatim copy of a notice posted on Colonel Vandeleur's gate on the evening of December 31, 1847:—

'Take Notice Crofton Vandeleure if you dont change your mind and give Relive to the Young as well as the Old, and not to put a stop to the Publicke Worke as you are, and also Captin Kenidy if ye dont be said by this Notice believe me I will do with you as I did with Pirce Carrige, so have your Wills made in time.'

Captain Kennedy writes again to the Commissioners, January 4, 1848:—

'Four persons were this day committed to Ennis Gaol, to take their trial for posting a threatening notice, and conspiring to shoot C. M. Vandeleur, Esq., and myself. The evidence against them is a man named Curtin.

'They communicated to him their intention of shooting Mr. Vandeleur, if public work were not immediately given, as they believed he had stopped it; and also to shoot me if I did not give relief to young (*i. e.* ablebodied) as well as old.

'I went into the Bridewell this morning, and immediately recognised all four as persons who had applied for outdoor relief; two of whom made themselves remarkable by being unusually importunate, and one, if not two, had left the workhouse voluntarily. They were all of the ablebodied class.

'The fact of some neighbouring unions giving outdoor

Fifth Series, p. 393.

relief to the ablebodied makes our position here more difficult. One sturdy vagabond applied to me the other day. I explained the law, and offered him the workhouse; he replied, "They all get the Government relief at Ennis, and if we had Father Sheehan (Roman Catholic curate, Ennis), we would all soon have it here."

'I may remark that no proper object has been refused relief, either in or out of the workhouse.' *

We now come to the Scariff Union, partly in Clare and partly in Galway. The population is 53,563, the valuation 44,609*l.*, the acreage 168,048. Only 23,461 acres were, in October 1847, under crops, of which 6,699 were in flax, meadow, and clover, leaving 16,762 for food consumable by man. The horses and mules, in 1847, were 3,146; the cattle, 15,833.

*Captain Hart to the Commissioners, December* 11, 1847. —'The state of things here is difficult to be dealt with, owing to a large admixture of turbulent, ablebodied, single men, and others not in distressed circumstances, who evidently entertain the notion that it needs but a due exhibition of physical force to induce an indiscriminate issue of outdoor relief, seeing that the workhouse, which was constructed for 600, now contains nearly 800 inmates.

'On Tuesday last, I had to seize a turbulent fellow (a single man), who had forced his way with others into the house; and on my having his name registered, as a warn-

* Papers relating to the Unions and Workhouses in Ireland, Fifth Series, p. 395.

ing to others, and ordering that no relief should ever be given to him except inside the house, he insolently replied, that he would "*rob and steal sooner than come into the workhouse*," and that "*all the people had a right to get the outdoor relief.*"

'I should not have deemed such matters as these worthy of mention, were it not that they abundantly exemplify what must inevitably be the demoralising effects outdoor relief to ablebodied men, should such an expedient, unhappily, ever have to be resorted to—a crisis which I can view in no other light than as an unmixed and dire calamity, which will speedily extinguish, in the breasts of its recipients, every principle of self-reliance, and swallow up the property of the country; for, judging from past experience, it is utterly futile to expect that any adequate check can be interposed, especially at this early stage of the administration of the new laws for the relief of the poor, to prevent an almost indiscriminate issue of relief; as, when once it is believed that the destitution has extended beyond the power of being met by local taxation, every barrier to abuse will, I fear, be at once levelled, and the same general rush made for the "Government relief" as took place under the system of relief by public works, and subsequently by the issue of rations, when the detection of the most shameless imposition was usually met by the reply, that "one man had as good a right as another to get a share of the Government relief."'*

* Fifth Series, p. 447.

*Mohill Union.*—Major Halliday to the Commissioners, January 21, 1848:—

'The number of names now on the outdoor relief list exceeds 3,000, and must be expected largely to increase for several weeks; but the relieving-officers have been able hitherto to avoid taking on it any ablebodied males, by offering to applicants of this class admission to the workhouse, *which is almost invariably declined.*

'They all concur in stating, that if any of these shall be relieved out-of-doors, *they will universally throw themselves on the list, and abandon such employment as they at present can at times obtain from the farmers or otherwise.*' *

The opinion reported by Major Halliday, in the last sentence, is remarkably confirmed by a circumstance which has come to our knowledge while these pages are passing through the press. A great proprietor in Kerry has directed a considerable sum to be employed there in drainage. He finds, however, the pauperism undiminished, and the explanation is, that those who have once received relief are spoilt for work. They are absolutely valueless as day-labourers, and if employed on task-work, throw up their little contracts, candidly confessing that they prefer their chance of union support. A friend of ours near Limerick, a few days ago, ordered four pairs of shoes. His shoemaker refused the order, as it might interfere with his relief.

Of course we could extend almost indefinitely these pictures of sloth, fraud, violence, and misery; for, long as

* Fifth Series, p. 195.

these extracts are, they form a very minute portion of the vast Relief library before us. Enough, however—perhaps more than enough—has been produced to show the wisdom of Mr. Twistleton's prophecy, 'that it would be a fatal step to introduce any system of outdoor relief for the unemployed population of Ireland.'* Those who believe that a population in the state which now appears to be that of the southern and western Irish can safely be told that the fundamental law of human society has been repealed in their favour, and that, though they do not work, they yet shall eat; who believe that a people, such as the evidence now shows those of Munster and Connaught to be, will fight the anxious battle which man has to wage for subsistence, though they are told that it is the duty of the ratepayers, and, in default of them, of that being of inexhaustible resources, the British Government, to assist them when they make inadequate efforts, and supply their place when they make none;—those who can believe all this, are beyond the reach of any arguments drawn from theory, or even from experience.

We may be asked, however (for it is a question which we have often heard put), what else would you have done? —what do you propose to substitute? We are not sure that this is a question which an objector to outdoor relief for such a population is bound to answer. If we saw a man, with a wound in his leg, busily employed in tearing it wider and deeper, we might be allowed to advise him to

* House of Lords: Evidence on Destitute Poor in Ireland (1846), p. 780.

desist, without being required to direct his further proceedings. If he asked us what else he should do, we might be permitted to answer, 'All that we know is, that what you are doing is wrong—that every time you tear that wound you inflame it. What you ought to do, or whether you ought to do anything, we will not venture to say; but, for Heaven's sake, stop your hands in what you are about!'

Some answers, however, we will endeavour to give to this question; some measures we will venture to suggest.

It is scarcely necessary to remind the reader that any remedies for the social diseases of Ireland must, like those diseases themselves, be divided into two classes, the moral and the physical. The most striking and the most important moral disease of Ireland is insecurity. The remedies against insecurity are supplied partly by law and partly by education. Of these, perhaps, education is the more important. It is not, indeed, independent of law. However excellent the instruction, however wide its diffusion, still in every large society there are some persons whom it does not affect. Their intellects are not strong enough to understand it, or the violence of their passions prevents their heeding it, or they have not sufficient self-control to obey it. Such persons must be restrained by fear, and, where fear is insufficient, by force; and force and fear are the weapons only of law.

But law, though it represses violence and fraud, does not even attempt to diminish the rapacity and ferocity which occasion them. This it leaves to education; and

where education has not, at least to some extent, performed its duty— where it has not trained up a considerable portion of the community to be the enemies of crime—where it has not created a public opinion to aid the law, both legislator and administrator become feeble.

No employment of fear or of force can permanently prevent the prevalence of outrage and robbery in an uneducated community. Nowhere are these instruments more powerful, nowhere is their use more unscrupulous, than in slave-countries, and nowhere is there less security of person or of property. In the first place, punishment is a comparatively remote evil, and depends on detection ; but neither distant nor contingent motives much affect an uneducated man. To obey, or even to appreciate them, requires much cultivation. And, in the second place, no law can be vigorously executed unless the mass of the people assist in its execution ; and they never will assist in repressing crime unless they are sufficiently educated to perceive its mischief.

The principal educators of every Christian country must be its clergy. The amount of their influence, and the direction in which it is exercised, of course depend much on the purity of their doctrine, and their own intellectual and moral cultivation. They depend, perhaps, still more on the relation in which the priest stands to his flock. If he belong to the mass of the people by birth, by connections, and by early education,—if his only experience in life has been the cabin, the village-school, the ecclesiastical seminary, and the parochial cure,—if he be dependent

on his flock for society, for sympathy, and for income, how can we expect him to teach any opinions except those which that flock approves?

This, as we have often said before, is an important part of the long explanation of the insecurity of Ireland. The legal instruments for the suppression of outrage are actually more powerful in Ireland than in England. The law is more stringent; there is a much larger army, and a much stronger police. But in England everything tends to attach the great body of the instructors of the people to the side of order and law. By birth, by manners, and by education, they belong to the class which is supposed to have most to lose by disorder, and which certainly is most conscious of the advantages of tranquillity. With that class alone can they associate familiarly, and that class contributes the small portion of their incomes which is not derived from a national fund. The whole influence, therefore, of the Church of England is conservative.

The same train of reasoning would lead us to expect the whole influence of the Irish Roman Catholic priests to be destructive. This, however, it certainly is not. The Irish Roman Catholic clergy, whatever be their other deficiencies, are sincere in their faith. They cannot believe in the Gospels, and preach assassination or rebellion. The events of the last six months show that their influence, so far as it was exerted at all, was exerted against the insurrection. But, though they have very seldom been the active enemies of authority, they have very seldom been more than its lukewarm friends. In many cases, perhaps in most, they

have not ventured to be more than neutral. Those who have been prominent in the repression of sedition have encountered dangers, and indeed sufferings, to confront which required the self-devotion of a martyr. We know one case, in which a priest was murdered for having denounced outrage and rebellion. Others have had their chapel-doors nailed up; and almost all the rest have found their incomes cease. They have had to choose between rebellion and starvation.

On other social questions, where they were less tied down by the express words of Scripture, their dependence on their flocks has forced them to take the dangerous side. They have been the great supporters of Repeal,—the most mischievous delusion that ever infected the Irish nation. They have always encouraged early marriages, and their consequence, the subdivision of the land into occupancies incapable of affording rent or even decent subsistence. They are the natural enemies of good Poor-law administration. If relief be given in the workhouse the priest gets nothing, and accordingly he always exerts himself in favour of outdoor relief. We know one case, and believe that there are hundreds, in which a priest cursed from the altar all who should enter the workhouse. 'Rather,' he said, 'die in your cabins, or by the roadside. Your deaths will be upon the heads of those who refused you outdoor relief.' But in proportion as outdoor relief is profuse, or is given to those who have other means of support, something will overflow in dues. Again, the priest—as he is scarcely ever an owner, and often is not an occupier, of land—is seldom,

and then very lightly, rated to the poor. While outdoor relief is swallowing up the landlords' rents and the tenants' profits, the priest can indulge his sympathy for his neighbour, or for his relation, without making any real sacrifice himself.

It is true that these evils are not completely remediable. The bulk of a Roman Catholic clergy cannot be gentlemen; for men who belong, by birth or by habits, to the higher classes will rarely submit to the perpetual celibacy and to the laborious duties of a Roman Catholic parochial clergyman. The education which is given by society, which is gained from equals and rivals in the public school, the university, and the world, is denied to them. But we can give to them what, though far inferior, is next best—a good literary education: though we cannot make them independent of their flocks for sympathy and for society, we can relieve them from pecuniary dependence. And the more exposed they are to bad influences, which are inevitable, the more important it is that we should extricate them from those which are removable.

The least expensive—and, supposing it once carried, the easiest in application—of the remedies required by Ireland, is the endowment of the Catholic clergy; and we earnestly recommend that the salaries of the priests of every electoral division be rated, just as the tithe-rent of the Protestant clergyman is, to the relief of the poor of that district, and the poundage paid over to the guardians.

To talk of the expense as a real objection is puerile. It would not cost half what we spend on the African

squadron, with no ascertainable results except the loss of officers and men, the interruption of the commerce of the world, the suspicion or hatred excited against us among all foreign nations, and the aggravation of the horrors of the slave-trade.

It would not cost half the expense of the armed force that it would enable us to reduce in Ireland. It would not cost one-tenth of the additional revenue which Ireland, in a merely tolerable state of security, would pour into our Exchequer; and, above all, it would not, like a Kaffir war or a Canadian fortification, be a new expenditure.

It would only be shifting an existing load from the shoulders of the poorest to those of the richest population in the world. It would be only relieving the Irish poor from a tax which must be paid either by them or by us, and which is now paid by them only because we have taken from them, and appropriated—and continue to appropriate—to purposes of our own, the fund which originally supplied it.

Some additional provisions for security—such as the increase of the number of stipendiary magistrates, and the abolition of that monstrous relic of barbarism, the requiring unanimity from juries—are advisable, but less urgent.

But moral remedies must here again be supported by physical ones. No country can be tranquil or industrious, in which the proportion of people to the land and capital which employ and support it is so excessive as to leave them unemployed and destitute, or even unemployed without being destitute, during a considerable portion of every

year. This is well illustrated in the excellent evidence given by Mr. Aubrey de Vere, before the Committee of the House of Lords on Colonisation, on July 19, 1847 (p. 513, and *post*):—

'It must be remembered,' says Mr. de Vere, 'that the immediate effect of over-population, when excessive, is to interfere with the ordinary relations of society, and still more with the processes of agriculture, in such a manner as to make it almost impossible that money can be laid out productively. The farmer builds his sheds for his cattle; in the spring he has one or two calves; four or five armed men come up to him, and make him swear that he will kill his calves because his poorer neighbours require the milk. The effect of such outrages on improved cultivation is obvious.

'4729. Have not there been many instances during the present year in which a species of tariff has been established by the disturbers of the peace, under which a large farmer is allowed to rear not exceeding two calves, another is allowed to rear one, and a third is prohibited from rearing any?—Yes; that is perhaps a more dangerous symptom than those occasional outbreaks of lawlessness which occur at other times. It illustrates the tendency of a very great amount of over-population to abolish the very idea of property; making the people believe that the produce of the land belongs virtually to all on the land, and that they have a right to legislate as they think best as to the mode of its distribution.

'4731. Do the same interferences take place with

respect to the sale and price of potatoes?—Yes. A farmer receives notice that his potatoes are required to be sold at such a price, or that he must be prepared to undergo whatever penalty the people choose to inflict upon him. This has frequently occurred.

'Then, supposing the labourer to be perfectly desirous to give honest labour in return for the wages he receives, he is almost as unable to do this, as the farmer is unable to cultivate the crops which he prefers. He is one of a certain number of people, all of whom require employment. If the employment is only sufficient for fifty men, and a hundred require employment, the remaining fifty will of course induce or compel the fifty who have received the employment to give such inefficient work as to render the employment of the hundred men necessary. If the hundred men should be all employed, but if the work be calculated to last only for six months, whereas the hundred labourers require subsistence for the whole year, they will naturally make the work last for the year; and any particular individual amongst them who wishes to make himself what is called better than his neighbour, is a man very injurious, as they think, to the community, and gets a hint to that effect. All the relations of society are thus embittered, and the impatience of the disease resists the measures necessary for the cure. Every part is sore, and shrinks from the touch; every part is armed, and stings the hand that would heal it.

'The failure of the recent attempt to support the people of Ireland by means of work on the public roads, is but an

illustration on a large scale of a difficulty which besets all attempts to give employment where the pressure of population is such as to paralyse that employment which a less excessive pressure would have stimulated. The labour required was met by a combination. That is a fact that speaks for itself; everybody knows it; no person ought to have been surprised at seeing it occur. Those who were well acquainted with Ireland knew that the circumstance was certain to occur, because the same principle of combination has long since prevailed amongst our labourers, although in an occult shape, and has, in an indirect manner, produced the same results; that is to say, by a kind of understood convention amongst the labourers, work has been done badly, and done slowly. While in England you have paid 1*s.* 6*d.* for labour, and have got 1*s.* 6*d.* worth of work, in Ireland we have paid 8*d.* for labour, and got 6*d.* worth of work; combination supplanting competition, and making labour expensive where the labourers were numerous.

'4743. Does this pressure of a population in excess act dangerously upon the peace of the country?—It renders it impossible to maintain the peace in many of those districts in which the pressure is very much felt, because it reduces us to a state in which you may say that everyone is in everyone else's way. In England, everyone is socially dependent upon his neighbour; the intertexture of society is so finely wrought, that every man is the better for his neighbour, and so far has a sort of vested interest in his life; but in Ireland the people are competitors and rivals,

and angry feelings are thus necessarily engendered. For this reason it has been found hitherto very difficult to preserve the peace in Ireland, even in times of comparative abundance. We have now met with a calamity which has very much the same effect as if some two millions of people had been added in one year to our population, a proportionate amount of food having been withdrawn. Under these circumstances, the insecurity of property and the difficulty of maintaining the peace must proportionately increase.

'4759. With respect to the general interests of your electoral division, how do you find that the state of the neighbouring less-improved electoral divisions acts upon you?—Very injuriously. That is one of our great difficulties. In a neighbouring electoral division, a large proportion of the holdings consist of about three acres each. If each of those farms supports the person who possesses it, even supposing that no rent is paid, it is probably the very most that we can expect. A rate, certainly, cannot be levied upon such farms.

'There are a very considerable number of acres in that electoral division which have remained altogether unsown and waste. Adjoining us is the electoral division of Kildimo; in it no considerable proprietor resides, and there is no chance of employment on a large scale. Supposing that in the two adjoining electoral divisions the people are destitute, and that a very inconsiderable rate is the utmost that can be raised for their support, we shall be in the difficult position of supporting our own people in the midst

of a starving multitude on each side of us; and the question is, whether that multitude will be content to starve and see their neighbours provided for. As soon as we set 200 men at work, 200 more men will probably, if not otherwise provided for, march down, with their spades on their shoulders, and demand a share in that work.'

The degree in which Ireland is over-populous may, perhaps, be best understood by comparing her to England.

Unfortunately, the agricultural statistics of England are very defective. We are not acquainted with any estimate later than that furnished by Mr. Couling to the Emigration Committee in 1827, and published (p. 361) in the Appendix to the Third Report, ordered to be printed on June 29, 1827. It has been adopted, however, by Mr. Porter, and, with a slight variation, by Mr. M'Culloch, and so far as it differs from the truth, must obviously err in leading us to underestimate the *present* amount of agricultural improvement.

According to that estimate, the 32,342,400 acres of England comprised 25,632,000 in cultivation, of which 10,252,600 acres were arable and garden, and 15,379,400 meadows and pastures. The number of agricultural families appears, by the census of 1831, to have been then 761,348.

The surface of Ireland, according to the census of 1841 (p. 453), contains 20,808,271 statute acres, of which only 13,464,300 were then cultivated. Of these, in 1847, only 5,238,575 were under crops, thus subdivided:—cerealia, 3,313,579; green crops, 727,738; flax, 58,312; and hay,

1,138,946.* The agricultural families were returned by that census as 974,188. So that more than one-fourth more families were employed in cultivating about half the extent of cultivated land.

The disproportion is still more striking when we look at the details. The arable and garden ground in England consisted, as we have seen, of 10,252,000 acres. In Ireland, in 1847, only 5,238,575 acres were under crops, of which 1,138,946 produced hay; so that only 4,099,629 acres remain for arable and green crops, or less than four-and-a-half acres to an agricultural family. In England, the proportion of arable and garden ground is rather more than thirteen-and-a-half acres to an agricultural family—just three times as much. Of course, when we come to the distressed provinces, the disproportion increases. In Leinster and Ulster the agricultural families were 483,845; in Munster and Connaught they were 492,343. The cultivated land in Leinster and Ulster was 7,368,727 acres; in Munster and Connaught, 6,095,573 acres. The land under crop in Leinster and Ulster was 3,284,259 acres, or, deducting 714,488 of meadow and clover, 2,469,771 acres. That in Munster and Connaught was 1,950,316 acres, or, deducting meadow and clover, 1,526,658 acres—not three acres and a rood to an agricultural family, or more than four times as many agricultural families to a hundred acres under crop as in England.

Now, in 1831, the agricultural population of England, in proportion to the land under cultivation, and to the

* Agricultural Return, pp. 6, 8.

capital employed on it, was in excess. It was the time when agricultural labourers were driven from farm to farm as roundsmen, were sold by auction at 2*d.* per head per day, were harnessed on the roads to gravel-carts, were sent ten miles to carry a barley-straw and bring back a wheat-straw, were imprisoned in the gravel-pit, or kept standing morning after morning in the parish pound. It was the time when farmers could not safely use machinery, when labour-rates were sanctioned by law, when Wilmot Horton lectured on redundant population, and emigration was as vehemently demanded for England as it now is for Ireland. What then is to be done with an agricultural population more than four times as excessive, in proportion to the demand for its labour, as one which itself was excessive? How are we to remedy a disproportion between cultivators and cultivated land, the greatest that has ever pervaded a civilised country?

It may be said, however, that Ireland is inadequately cultivated, and that it affords a field on which the agricultural population, now excessive, might be profitably employed. Let us then consider what are the obstacles to extensive agricultural improvement. If we suppose a man to be the sole proprietor of an electoral division, that is to say, of an estate equal in extent to more than three average English parishes; that his tenants hold at will, or for short terms; that the proportion of population to the land is so moderate, that freedom of action is not circumscribed by the tyranny described by Mr. de Vere, but the landlord is allowed to improve, the farmer to

manage, and the labourer to work, without being under the orders and the terrors of a secret tribunal; that the surrounding electoral divisions are also so favourably circumstanced, that their inhabitants will not invade any new oasis of prosperity, derange the proportions of population and employment, and prescribe the amount of industry that is to be exerted, and the manner of its application:—if we suppose all these favourable accidents to coincide, such a proprietor would do wisely, if out of his own resources, or by the assistance of the Land Improvement Act, he expended on his lands perhaps half, perhaps the whole value of their fee-simple, in their present state. But where shall we find such a coincidence?—in 200 cases?—in 100?—in 50? If all these conditions can rarely coexist, which of them can be dispensed with? Can the proprietor of a portion of an electoral division prudently improve? If he do so, what is he doing but providing a fund to be eaten away by the spreading sore of his neighbour's pauperism? Can he do so when his land is in the hands of middlemen, or tenants for terms, who for years must reap the whole profit of his expenditure? Can he do so when pressed on by an excessive, and therefore idle, and therefore demoralised population in his own electoral division, or in those around him, which impedes, or forbids, or dictates his own operations, and those of his farmers and of his labourers?

This is not mere theory; we will illustrate it by an example.

We have given some details as to the state of the

Belmullet and Binghamstown electoral divisions, part of the barony of Erris, in the Ballina Union. On the 15th of February, 1848, Mr. Hamilton, the Inspector, writes to say that one of the principal landlords, Mr. Carter, has applied for, and obtained, 5,000*l.* under the Improvement Act.*

On March 30, Mr. Carter writes thus to the Commissioners:—

'I have the honour to enclose you a copy of a letter I this morning received from Mr. Crampton, the agent of my estate in Erris, county Mayo. I am most anxious to lay out the money applied for and granted, but the contents of this letter certainly cause me to pause before I take up 5,000*l.*, to be expended in increasing the burdens of the land in Erris, without a prospect of redemption.'

ENCLOSURE.—*Mr. Crampton to Mr. Carter, March* 28, 1848.—'I learn at the Custom House that your application, under the Land Improvement Act, for the drainage of your Erris estates, has been approved of to the extent of 5,000*l.*, and that you will very shortly be placed in possession of an instalment of this sum.

'Previous to your embarking in this expenditure, I wish to lay before you, as clearly as I can, the present state and prospects of Erris generally, that you may judge for yourself whether by this expenditure you would improve your

* Papers relating to the Unions and Workhouses in Ireland, Sixth Series, p. 221.

estate there, or whether, on the contrary, by adding so much to its incumbrances, you will only be accelerating its ruin.

'The valuation of the two electoral divisions, Belmullet and Binghamstown, in which your estate lies, under the Poor Law, is under 12,000*l.* a-year; this sum is not very much less than the amount of rent which was paid (before 1846) by the occupying tenants to their immediate landlords; at present small holders (who occupy more than nine-tenths of the country) are able to pay no rent whatever.

'The population of these two electoral divisions—which, before 1846, was considerably over 20,000—is now (as well as an estimate can be made) under 20,000; about one-sixth of this population are resident on those parts of your estate which are not leased against you in perpetuity, and about another sixth on those townlands which are.

'Out of this population upwards of 10,000 are now receiving relief daily under the Poor Law, at the expense of upwards of 250*l.* a week; that is, at the rate of upwards of 13,000*l.* a year—more than the entire rental of the two divisions, even in flourishing times. This relief is administered with the utmost vigilance, and the utmost care taken that none except those actually starving shall be relieved, so that there is no hope that the expense will be diminished; on the contrary, it is certain that it will considerably increase: destitution among the population yet off the lists increasing more rapidly than deaths occur among the paupers who are on—deaths among the

paupers being the only circumstance by which the numbers receiving relief are or can be diminished.

'As might be imagined, the proceeds of the poor-rate are by no means equal to this enormous expenditure; the British Association are supplying the funds, and will probably do so till next harvest; however, they cannot and will not continue to do so; and as the people are supported in what is as bad as idleness, and the arable land is suffered to lie waste, *there is no hope that the country can support itself when the British Association shall cease to give assistance.*

'It is for you to consider whether, under these circumstances, the 5,000*l.* granted to your application under the Land Improvement Act, will not (if laid out in Erris) be utterly lost, while you will remain personally liable to 650*l.* a year for interest.

'If the Government will do nothing, and at the same time insist that proprietors must support the destitute on their estates (that is, on your paying 2,000*l.* a year for poor-rate for your Erris estate, which would be about your proportion, while you at the same time get nothing out of it), I would say the sooner you got rid of that property the better, and that your laying out money on it, with these facts clearly before you, would be an act of deliberate folly.'

The Commissioners refer Mr. Crampton's statement to their Inspector. He answers:—

'*April* 4, 1848.—I think Mr. Crampton's letter is not by any means an exaggerated statement.

'The present expenditure is about 250*l.* a week, and a

considerable portion of the persons now receiving relief are permanently pauperised, unless some unexpected demand for labour should arise.'

The correspondence closes by a letter from the Commissioners to Mr. Carter, in which they state their opinion that—'It is only by the adoption of means to encourage agricultural undertakings, independently of the poor-rates, that any progress can be made in ameliorating the condition of the labouring population, and lessening the pressure on the resources of the ratepayers. The Commissioners would be gratified to know that such means were applied by the owners of the lands heretofore cultivated, but now waste; and were all to adopt your proposition of giving the land rent-free, at first, there would, it is presumed, be found persons, of the requisite skill and capital, to migrate to that district.'*

We are not informed as to the result. We presume that Mr. Carter declined the proposed loan. The reader will judge whether it is equally probable that the plan alluded to by the Commissioners, 'that the landlords should give their lands rent-free, and that persons of skill and capital should migrate to Erris in order to cultivate them,' has been adopted.

What is impossible, however, to private enterprise may, it has been supposed, be effected by the Government; and several proposals have lately been made for the reclama-

* Papers relating to the Unions and Workhouses in Ireland, Sixth Series, p. 232.

tion of the waste lands of Ireland at the expense of the State. In support of these views, the high authority of the Irish Commissioners of Poor-law Inquiry has often been cited, but it appears to us erroneously. What the Commissioners proposed as respects Irish wastes was merely a General Enclosure Act.

This was a simple plan, well adapted to the wants of the year 1836, when the obstacle to the cultivation of the waste arose merely from intricacy of title; but does not attempt to meet the present difficulty, which indeed did not then exist; when the obstacle is that, in the face of the poor-rate, it is not worth cultivating.

Then came Mr. Thornton, writing in 1845, before the potato had failed, and believing (p. 430) that two or three acres furnish plentiful subsistence to a family. He proposes that the poor should have free access to the waste lands,* or at least to 600,000 acres of them; the distribution of which, among 200,000 pauper families, would, he thinks, remedy the pauperism of Ireland.† The proprietors, of course, must be compensated; but he says, with truth, that the value of the fee-simple of an acre of Irish waste is generally small.

Mr. Mill adopted Mr. Thornton's views, but, writing in 1848, estimated more adequately the evil and the necessary extent of the remedy.

Instead of 600,000 acres of waste, he proposes to take all that are arable, which he supposes to be 1,500,000; and instead of 200,000, he proposes to place on them 300,000

* 'Over-population,' p. 432. † Ibid. p. 430.

families, or five acres to a family. 'Suppose,' he says, 'such a number drafted off to independence and comfort, together with a very moderate additional relief by emigration, the introduction of English farming over the remainder of Ireland would at once cease to be chimerical.'*

Lastly, we have a further and amended proposal of Mr. Thornton's, contained in his 'Plea for Peasant Proprietors,' published in 1848. He now supposes the available waste lands to be 1,600,000 acres; and he proposes to colonise them with 200,000 pauper families, allotting eight acres to a family. He estimates the expense at 24,000,000*l.*, or 120*l.* per family, a sum considerably exceeding the cost of the most expensive emigrations ever made—more than three times the cost at which the Crown, not the best of managers, removed to America the surplus population of its estate at Ballykilcline.†

To meet the obvious objection that, with Irish habits, the 200,000 families would soon swell into 400,000, and the farms from eight acres diminish to four, he adopts a suggestion of Mr. Mill's, that the colonists should receive their farms not as tenants, but as owners; the ownership of land being, in his opinion and in that of Mr. Mill, the best preservative against the undue multiplication of a peasantry. And, as a further precaution, he proposes that subdivision be prohibited by law.

* Vol. i. p. 393.

† This was 1,550*l.* 7*s.* 3*d.* for 236 persons, or about 6*l.* 11*s.* a head.—*Evidence to First Report of the House of Lords on Colonisation* (1848), *Question* 2959.

Now, we admit most fully the beneficial moral influence of property, especially of landed property. We bitterly regret that our execrable system of tenures, by making the legal forms attending the sale and purchase of a small piece of ground cost more than the value of the thing which they convey, and our execrable law of settlement, by denying employment to a man who is supposed to be able to exist without it, have destroyed the small properties of England. We believe that, if we could recall into existence the English yeoman, we should add to our social system a most valuable member. We believe that the remnants of that race, the Cumberland and Westmoreland statesmen, are the best agricultural population in Great Britain.

But when we are told that such a peasantry will not multiply and subdivide, we must consider what are the means by which these results are to be prevented. They seem to be only three:—1st, limiting the number of children to a marriage; 2ndly, deferring marriage; and 3rdly, sending out the younger children to get their bread by some other means than cultivating the father's land.

The first of these means is that adopted in France and Switzerland. The number of children to a marriage is much smaller among the peasantry of those countries than in any other part of Europe. It scarcely amounts to three births to a marriage, whereas the number in England is four-and-a-half.

The second is that adopted in Germany, Denmark, Norway, and generally in the Protestant portions of the

Continent. The Government almost universally interferes, and prohibits the marriage of those who cannot show that they possess considerable property, or a residence, or that they have performed their military services.

The third is the resource of the English farmer. If he is rich and careful, he saves enough to portion his daughters, and to enable his sons to hire and stock farms of their own. If he cannot afford this, his children go out to service, or are apprenticed to trades.

Now, which of these lines of conduct is likely to be adopted by the colonist on the Irish wastes? He will be a pauper, taken from the worst part of the worst provinces of Ireland—from a population, to use Captain Kennedy's words, 'ignorant of the use of land, labour, or capital; in their appearance, clothing, and mode of living hardly human, and'—what is perhaps the worst symptom—'uncomplaining; quite content with their allowance of meal.' Will such a people, having by their side the priest living on marriage-dues and christenings, defer marriage, or restrict the number of children in their families? Will they save, to set up their children in other farms or in other businesses? Remove them to a better social atmosphere—let them see all around them instances of thrift and success—put a new continent at their disposal, where they may multiply their numbers and yet extend their possessions, and they will participate in the general prosperity. Keep them in Ireland, and in a generation or two, probably much sooner, they will be in the state in which they are now, only doubled in numbers.

As for the legal prohibition of subdivision, it would be an absolute nullity. Even in the case of a leaseholder or a tenant at will, where there is a landlord who knows that the security of his rent and the value of his reversion depend on his preventing subdivision, we see that it goes on, in spite of a repression which is often complained of as too severe. How is a *proprietor* to be checked? By whom is the law to be enforced? By public officers, we suppose. And will men performing a mere public duty exercise a vigilance and severity, and incur a degree of odium and of danger (for in Ireland unpopularity is often death), which his own interest and that of his descendants will not tempt the reversioner to exert and to undergo?

The decisive objections to this scheme, however, have not yet been mentioned.

Unhappily, as the able compiler of the Digest of the Evidence taken under Lord Devon's Commission has remarked, 'all the evidence on the subject of reclaiming waste lands has reference to the times and circumstances prior to the failure of the potato-crop.' That failure has destroyed much of what was best established in Irish rural economy; and, above all, it has destroyed three-acre, or five-acre, or even eight-acre farms.

Among the witnesses examined by the House of Lords' Committee on Colonisation, in 1847, were Colonel Robinson, the well-known Managing Director of the Irish Waste Lands Improvement Company, and, as we have seen, Mr. Blacker.

'2122. I think,' says Mr. Blacker *, 'that with five or six acres the farmer cannot now support himself upon his land. It is a physical impossibility to grow so much grain upon a five or six-acre farm as will support a family consisting of six to seven persons. It would be necessary to sow part of the land with a grain-crop twice in succession, which cannot be carried on; it could not be continued for any course of seasons.

'2125. Do you not conceive that you possess in Armagh much greater facilities for meeting the state of things, as altered by the potato failure, by your knowledge of agriculture, and by your power of substituting other means of culture?—Certainly; and not only that, but likewise by having a portion of manufactures going on.

'2126. Even with those advantages, do you conceive that if the potato failure proves permanent, you will have the means of supporting your present extent of population?—I do not think that we shall. If we lose the potato-crop, all the five and six-acre men, who depend entirely upon their small holdings, must go.

'2156. Were not your opinions strongly expressed upon the question of emigration?—Yes. I have written two essays upon the management of property in Ireland; in both those I expressed my doubts of the propriety of emigration, and, under the same circumstances, I should be still of the same opinion; but I look upon it that the destruction of the food of a great proportion of the people

* Minutes of Evidence, p. 219, and *post*.

alters the circumstances altogether. A five or six-acre farmer, with potato diet, could pay his rent, and keep his one or two cows, and his pigs, and live in comparative comfort; but I do not think that he can do so if the potato failure continues—therefore there must, in that case, be a change in the measures adopted.

'2157. Supposing in any particular district the five-acre-farm system to continue subject to the failure of the potato-crop, what do you conceive would be the consequences upon rents?—There is just this consequence: rent can only be paid by the sale of the produce. *If a man sells the produce to pay his rent, he must starve or become a mendicant; and if he lives upon the produce, and does not pay his rent, then the landlord must starve or become a mendicant.*

'There are numbers of farms not exceeding five and six acres; I look upon it that in all those farms the produce of the land would be insufficient. To give an instance, take a farm of six acres; if it requires three acres of oats to supply the place of one acre of potatoes, and a family require an acre and a half of potatoes, it would require four or five acres of oats to supply that; how can you grow four or five acres of oats out of six acres?

'There are many people whom I have heard dilating upon the advantage to Ireland of the failure of the potato-crop, and the blessing it would be to the people to have cereal food substituted. It seems to me, however, that those who thus express themselves are not aware that it is absolutely impossible all at once to increase the growth of

cereal crops to the extent required to feed the present population upon that diet. Before this can be done, there must be an increased quantity of land in a state fit to yield corn crops; this can only be done by an increased growth of green crops; and this, again, requires an increased stock of manure; so that, if it can be accomplished at all, it must be a work of time. And what is in the meanwhile to become of the hundreds of thousands who have hitherto depended on the Conacre potatoes? It is fearful to contemplate the misery that must take place before any good can arise from the failure of the potato.'

Colonel Robinson states that the average holdings of the peasantry on the estates reclaimed by the society are fourteen plantation acres, or about twenty statute acres each.*

He is asked what amount of capital is required for a tenant to become a settler on a waste-land holding, according to the system of the society. He answers—

'It would depend on the size of the farm, the nature of the locality, and the resumption or not of the potato culture; but, as a fair general average, I should deem that an industrious man with a family, entering upon a moderate-sized holding, in proportion to the amount of his capital, and the physical strength of his family, at the rate of from 1*l.* 10*s.* to 2*l.* per plantation acre of arable land, would do well. Thus, if a farmer of peaceable habits, inured to difficulties, of strong constitution, and

* Minutes of Evidence, p. 500.

with a healthy large family, possessed of 20*l.* or 30*l.* capital, being the description of persons who *generally emigrate to the American colonies, took a holding of from ten to fifteen plantation acres, which is equal to from sixteen to twenty-three and a half statute acres, he would, by a fair amount of exertion and perseverance, be able to permanently provide for that family, without any extraneous aid from public works or workhouses, or other parties, excepting occasional employment for the first two years, and the stipulated allowances from the improving landlord.'**

This evidence decisively shows how inadequate is the immediate resource afforded by the waste lands. Supposing their extent ample, and all difficulties of title and expense removed, from two to three years must elapse before they would give any assistance at all. Colonel Robinson often repeats that, for the first two years, the settlers must be fed from other sources. And, secondly, supposing them now ready for use, their extent, great as it seems positively, is comparatively small. 1,400,000 acres divided into ten-acre farms—and that seems to be the minimum—will remove only 140,000 agricultural families out of 974,188, leaving still 824,188 families to cultivate the existing 13,464,300 acres, being about double the English proportion in 1831. Nor is it true that the whole of the 1,425,000 acres of cultivable waste is really available for the purposes in question. 269,000 belong to

* Minutes of Evidence, p. 507.

Ulster, exclusively of Donegal. They belong to a well-administered prosperous province, which supports its own poor without English assistance,—indeed, with rare exceptions, without outdoor relief. What more right have we to require an Antrim landlord, whose union and whose electoral division are perfectly solvent—who has so well preserved the proper proportion of population to capital, that instead of one person in five as in Connaught, or one person in twenty as in England, only one person in a hundred is an applicant for relief;—what more right have we to require him to give up his waste lands as a colony for Southern and Western paupers, than we have to require the proprietors of Dartmoor or Salisbury Plain? What right have we to transport the hordes of Clare and Mayo into the heart of Down and Armagh? What more right have we to inoculate with them the laborious, orderly, Protestant population of Ulster, than that of Yorkshire or Kent? What we have said of Ulster applies to many portions of Leinster; it applies even to many parts of the South and the West. Even in Donegal there are unions, such as Dunfanaghy and Letterkenny—in Cork, such as Bandon, Kinsale, and Mallow—where the pauperism is less than in even the well-administered English districts. To grind them down to the common level of Munster and Connaught, by forcibly introducing into their waste lands a surplus population of strangers, would be a strong instance of the injustice and cruelty of which those who most loudly proclaim their humanity are not the least frequently guilty.

The same remark applies not merely between province and province, but between county and county, between union and union, between electoral division and electoral division, even between townland and townland. It is bad enough—we should think it intolerable—to inflict on one parish the support of the paupers of another. To bring those paupers bodily into its bounds, to force its inhabitants to dwell among such associates, and to become responsible for such inmates, would be absolutely Mezentian:

> Mortua quin etiam jungebat corpora vivis
> Complexu in misero, et longâ sic morte necabat.

From these premisses a practical conclusion seems to follow more certainly than is usually the case in political reasoning. If the agricultural population of the greater part of Ireland is three times as large as can be profitably employed in cultivating, with the existing amount of capital, the quantity of land now in cultivation,—if, in the districts where that surplus population is found, no one, except under circumstances so peculiar and so rare that they may be said to be nonexistent, can profitably or even safely reclaim land now waste, or apply fresh capital to the land already in cultivation,—if the reclamation of the waste lands by the Government would afford only a slow and very partial relief, and, by rendering possible a still further increase of population, might in its ultimate results act as a poison instead of a medicine,—if under the pressure of poor-rates every month more and more tenancies are abandoned, and more and more fields lie waste, leaving the burden more

and more concentrated on the occupiers and the landlords who still stand their ground,—if under the double operation of increased pauperism and diminished employment, the population which last year was only three times, may next year be four times, and the year after be five times, as great as is wanted—what possible resource can there be except to diminish the number of people, since, while that number continues to increase, the demand for their labour is impossible?

If to do this to the requisite extent be really impracticable; if the whole resources of the British Empire—European, American, Asiatic, and African—do not enable us to remove from Ireland every year, for four or five years to come, 250,000 persons;* let all those who have the means

* Much more than this has been done, as will be seen from the following Table:—

*Statement showing the Irish as distinguished from the Total Emigration from the United Kingdom, during each Year from* 1845 *to* 1867, *both inclusive.*

| Year. | Total Emigration. | Irish Emigration. | Year. | Total Emigration. | Irish Emigration. |
|---|---|---|---|---|---|
| 1845 | 93,501 | 52,189 | 1857 | 212,875 | 94,787 |
| 1846 | 129,851 | 72,478 | 1858 | 113,972 | 49,513 |
| 1847 | 258,270 | 144,157 | 1859 | 120,432 | 62,841 |
| 1848 | 248,089 | 138,474 | 1860 | 128,469 | 77,746 |
| 1849 | 299,498 | 167,169 | 1861 | 91,770 | 48,437 |
| 1850 | 280,849 | 156,760 | 1862 | 121,214 | 59,579 |
| 1851 | 335,966 | 187,524 | 1863 | 223,758 | 129,765 |
| 1852 | 368,764 | 205,831 | 1864 | 208,900 | 118,187 |
| 1853 | 329,937 | 205,269 | 1865 | 209,801 | 103,788 |
| 1854 | 323,429 | 159,415 | 1866 | 204,882 | 102,980 |
| 1855 | 176,807 | 86,824 | 1867 | 195,953 | 92,285 |
| 1856 | 176,554 | 80,269 | | | |

NOTE.—Previous to 1853, the records in the Emigration Office

prepare against the evil that is coming. Let them sell their properties while they retain value; let them invest their savings in securities beyond the grasp of the collector; let them seek out some country which does not support a standing army of 600,000 paupers. And let us all, to use Mr. Mill's words, extract from the world, with epicurean indifference, the pleasures which it may afford, without making useless struggles for its improvement. For we may be sure that, if we allow the cancer of pauperism to complete the destruction of Ireland, and then to throw fresh venom into the already predisposed body of England, the ruin of all that makes England worth living in is a question only of time.

did not show the native origin of the emigrants. The numbers for the years 1845 to 1852 have been estimated on the average proportions of the years 1853 and 1854.

In the Returns for the years 1853 to 1867, made up from the Nominal Lists of Passengers, are a certain number of emigrants whose native origin is not distinguished. These have been divided proportionally amongst the English, Scotch, Irish, and Foreigners.

The Irish proportion is included in the above Table for the years subsequent to 1852.

[Through the kindness of Mr. Walcott, this Table has been brought down to the present time.—ED.]

# JOURNAL OF A VISIT TO IRELAND

## IN 1852.

*THURSDAY, Sept.* 2.—Mrs. Senior and I left Holyhead at half-past six this morning, and entered Kingstown Harbour at twelve. It was a stormy morning, misty, with low driving clouds. The beauties of Dublin Bay were much obscured. What I saw did not equal my recollection of it. It appeared to me scarcely to equal Beaumaris Bay, and to be far inferior to what I know of the coast scenery of the West of Ireland.

I dined with Power, the Chief Commissioner of the Poor Law. He is sanguine as to the progress of the law. Outdoor relief has almost ceased. The number of persons so relieved on August 14, the last day to which the returns are made up, was 2,795. The number relieved on that day in the workhouses, was 132,827. The number in the workhouses on the corresponding day last year, was 186,147. The number receiving on that day outdoor relief, was 5,574. The mortality in the workhouses on August 14 last, was 2·3 per 1,000 per week; last year it was 3·4. Even the present rate of mortality, however, is very high, especially when it is recollected that half the number of inmates are children under the age of fifteen years.

Last year they sent out several cargoes of workhouse girls to Australia. The earlier emigrations of this kind were unsuccessful, in consequence of their following implicitly the colonial instructions. Girls between fourteen and seventeen were asked for, and were sent, and were found too young for work: they are now sent from sixteen to twenty. Power spoke with enthusiasm of a cargo which he sent from the distressed unions of Clare. One girl of seventeen he was sure weighed 15 stone.

'How had she been fed?' I asked.

'On potatoes,' he answered, 'and Indian meal porridge, slightly flavoured with onions. No animal food whatever.'

Dublin is remarkably free from beggars. They are far more numerous in London.

*Friday, Sept.* 3.—We left Dublin at ten, and got to Limerick at three. The country is flat and uninteresting, and the absence of hedgerows and of country-seats gives it a naked appearance.

Limerick is a striking town, with a noble river, two fine bridges, a castle exhibiting the remains of great strength, and a cathedral which would make a good parochial church.

The instant you walk about its streets you find that you are out of England. At each end of the city are fortified barracks; the churchyards are enclosed and locked up, the women are generally barefoot, and covered with a cloak, which seems to be their principal garment; the children are usually half-naked. I was struck, however, by the beauty of the population. The girls

probably owe the excellence of their figures to their wearing no stays, and their ruddy complexions to the mildness and dampness of the climate. Neither sex is apparently overworked.

An English architect settled in Dublin drank tea with us. I enquired about the comparative expense of building in Ireland and in England. 'Except,' he said, 'for very rough coarse work, such as the earthworks of railways, it is generally cheaper in England—much cheaper where you have freestone at hand.' Irish labour in all the higher departments is dear, and bad for the money. The skill and industry of the country have been ruined by the combinations among the artisans.'

*Saturday, Sept.* 4.—Our business to-day was to get from Limerick to Mount Trenchard—Lord Monteagle's place on the Shannon—about twenty-seven miles. To move four persons and their luggage for this distance, in Ireland is not a simple problem. We were not able to complete our arrangements and fairly start—the servants and luggage on one car, and Mrs. Senior and I on another—till twelve. This was unlucky, as we passed several interesting scenes, deserving to be dwelt on longer than we were able to do so. One of them was in Lord Dunraven's park, Adare, where the ruins of a monastery and a castle, the latter of considerable size, stand very near one another, by the side of a rapid dark-brown river. About halfway between Limerick and Mount Trenchard, is Curragh Chase, a pretty place belonging to Sir Vere de Vere. We lunched there, and walked round a part of the lake—a

very successful piece of artificial water. It is about a mile and a half long, and wanders like a fine river through woods of birch, oak, and ash. Afterwards we passed through Asheaton, which, like Adare, possesses the ruins of a monastery and a castle. The chief remains of the castle is a lofty tower. We could not see the monastery from the road; Lord Monteagle praised the beauty of its cloister. Our horses tired about five miles from Mount Trenchard, but, by walking up all the hills, we got there by seven.

*Sunday, Sept. 5.*—Mount Trenchard House stands a few hundred yards from the Shannon, on the side of an undulating table-land, which rises immediately behind the house to about 500 feet, and at its highest point—Knock Patrick, the scene of St. Patrick's first preaching—to nearly 700 feet. It is surrounded by woods, some of them ancient; others planted by Lord Monteagle himself, by his father, or by his grandfather. In this soil and climate, vegetation is so rapid, that even Lord Monteagle's own earlier plantings, though not more than five-and-twenty years old, are respectable woods.

This is about the narrowest point of the Lower Shannon. It does not appear to be above three miles across. Immediately above, where it receives the Fergus, a short but broad river, with a mouth nine miles across, it widens into an inland lake, studded with islands and broken by promontories. Below, it continues comparatively narrow, till it reaches Tarbert, and then expands again till it becomes a broad arm of the sea. The absence of hedgerow

trees renders all distances in Ireland bare; the banks of the Lower Shannon, however, are comparatively well-wooded. The Keeper mountain, and the hilly islands of the Fergus, and farther off the Galties of Tipperary—a lofty range with fine forms—close the views to the north and east. To the south and west they are bounded by undulating hills, and by the high green promontories which run into the Shannon at Tarbert. All these materials form together lake-scenery of a fine kind—inferior in its shores to the Swiss and Italian lakes, but far superior in extent. Lord Monteagle has managed the walks through his woods with great skill. As you mount, the Shannon at every step becomes wider and grander; as you descend, its blue waters and rocky coasts become more and more beautiful.

We saw to-day the product of the relief-works. They consist of a road of about half a mile, impassable to carts, and ending in a bog, and about a mile of footpath. For the first, the barony is charged 2,000*l.*; for the second, 1,000*l.* This, however, is a favourable specimen of relief-works, for the footpath is of some trifling use, and the road, though useless, does no harm.

Both Lord Monteagle and Stephen Spring Rice talked bitterly of the Labour Rate Act.* 'It was not introduced,' they said, 'till the middle of August 1846, and was hurried through in ten days, after almost all the Irish Members had left London. In substance, it enabled the Board of

* All these conversations were revised by Lord Monteagle and Mr. Spring Rice.—Ed.

Works to execute throughout Ireland whatever works they should approve of, under the restriction that these works should not be chosen as specially beneficial to any particular proprietor or person. Subject to these conditions, they are permitted to employ on them whatever persons, and at whatever rate of wages, they should think proper, and to require the money so expended to be repaid with interest by the borrowers and occupiers of the land. By the Act, as it passed in 1846, the repayment of these loans was to be made only on the completion of the works by the Board of Works. A subsequent Act repealed this check, and charged the land with the expense of the works, whether they were completed or not; and very few have been completed, or are worth completing.

'The only interference in these works allowed to those who were to defray their cost was, that they were the only parties allowed to propose them. But this hardly gave a free power of selection. They were required by the law to propose works sufficient to employ and relieve all who were in want—no easy task. These proposals were to be brought forward in public, at special public baronial meetings, and the selections were to be made in public. All persons had a right to attend, and to make proposals without stint. Mobs beset and crowded the sessions-houses, until there was scarcely space to sit or air to breathe. Hundreds of proposals, drawn up by illiterate and interested persons—labourers, petty farmers, or whisky-sellers—were thrust before the persons appointed to pre-

side, and supported by threats within-doors, and sometimes by actual violence without. And even if it had been possible to consider them, the Act allowed no time, for it did not permit the sessions to adjourn for more than three days.'

'How did you manage,' I asked, 'in this barony?'

'We followed,' answered Stephen Spring Rice, 'the advice of Captain Kennedy, the Government officer, and sent up all the projects submitted to us (they were more than 150) to the Board of Works. In fact, we *could* not consider them. Our small sessions-house was filled with a mob of rioters, heaped upon one another's shoulders. Everybody was resolved to carry his own project, and to defeat his neighbour's. It was a scene of confusion and violence such as no one who has not seen an Irish mob half-mad with excitement can conceive. If the Government would have acceded to our request, and divided our barony (which is half as big as a small English county) into two or three manageable districts, we might have exercised some discretion; but, in defiance of our remonstrances, they chose to throw 150 square miles into one relief district, and the consequence was, that we were neither assisted by local knowledge, nor protected by local influence.'

'And what sort of a selection,' I said, 'did the Board of Works make?'

'About as bad a one,' he replied, 'as we could have made ourselves. In fact, according to the conditions of the problem, a good selection was impossible. Nothing

was to be done which would produce any private benefit; that is to say, nothing by which one man could profit more than another. That excluded everything but roads. But our roads were nearly perfect. We had already the roads that we wanted, and they were as good as we wanted. To make more was not only waste of labour, but waste of land. The Board of Works sent to us, as our master, a man who called himself a Yorkshireman, but in fact was born in the district close by, and had friends and relations all round. He had absolute and exclusive power to select persons for employment, power to dismiss them, and power to fix their wages. He put on our works about 120 persons (friends, or friends' friends, of his own), at day-work, at 2*s.* a day, the ordinary rate being from 8*d.* to 10*d.* He assigned task-work to others, at prices which enabled them to earn 6*s.* or 7*s.* a day. When we complained of these abuses, the Board of Works tartly answered to us, "We alone are responsible." Private employment almost ceased, for who could retain his labourers against such a competitor? We were like the stock-keepers in Bathurst Plains, when their shepherds went "off to the diggings." So that, while we were to pay at the rate of 1,500*l.* a mile for roads leading to nothing, the land, from which the means of payment was ultimately to come, remained uncultivated.'

'If all this expenditure,' said Lord Monteagle, 'had been necessary for the preservation of life, or indeed if, whether necessary or not, it had been indispensable to the preservation of life, of course no one would regret it.

But I fear that the relief-works destroyed as many as they preserved. The applicants could not be forced to do real work. In fact, their companions would not allow them to do so. A tenant of mine wanted the assistance of his cow-doctor. He went to find him in the works. The doctor was allowed to go and visit the cow, on condition that my tenant took his place. The day was very cold, and the new labourer began to move earth or break stones vigorously, in order to warm himself; those about him immediately interfered. He was abused for setting a bad example, and breaking the established rules of relief-works. But, though the labour-test failed, a test was applied which could not be evaded, and that was *exposure*. The winter of 1846-47 was severe. Among the hundreds of thousands on the works were women, children, and old men. They were miserably clad, and in many cases, notwithstanding all the exertions of the Board of Works, ill-fed. Some were rapidly carried off by fever or dysentery, others perished gradually; their legs swelled, their strength failed; many went into the workhouses to die. Many are there still, men and women not forty years old, who look as if they were seventy or eighty; and, in fact, are as irrecoverably infirm as if they were eighty.'

'What would you have done,' I said to Lord Monteagle, 'if you had been an autocrat?'

'It is easy,' he answered, 'to be wise after the event; but the plan which I proposed at the time still appears to me to have been the right one. I would have made the

relief districts much smaller. I would have abandoned the senseless idea of prohibiting all but useless work, or at least of making works which should not be specially useful to any assignable individuals. There can be few such works, except such as are useful to nobody. I would have allowed the ablebodied to be productively employed, and the young and impotent to be relieved at home. I would have encouraged works to be proposed, provided contributions to be made in proportion to the existing destitution, and I would have given public aid in proportion to the sums locally subscribed. Such a system, without doubt, would have had its evils and its dangers, but, in the first place, it would have been more efficient for the purposes of relief, and, in the second place, we should have had something to show for our money. The landlord would have suffered, but at least the land would have benefited. The sources of further employment and further relief would not have been dried up. The fund for maintaining labour and exercising charity would have been increased instead of being diminished:

'Diis aliter visum est.

'Those who governed us from London had some general notions, and some special notions, the union of which produced our disasters.

'The general notion was, that it is the duty, and within the power of the owner of land, in time of famine, to provide sufficient maintenance, either in the shape of wages or of relief, for all those whom he finds on his estate. You

will see this repeated over and over in the printed correspondence laid before Parliament. I wonder whether they would extend this doctrine to the owner of a house, and require the proprietors of the Marine Parade at Brighton to employ or relieve all the families who hire their apartments. The claim against the lodging-house-keeper is indeed stronger than that against the rural owner; for the former can lock his door and exclude intruders, whilst the country landlord is often unable to prevent his lessee from covering his estate with sub-tenants; and where he has the legal power, by contract, to prevent this abuse, is shot for exercising it.

'Their other theory is, that the Irish landlords utterly neglect this duty, and in fact disclaim it. They accuse us of speaking and acting as if we stood in no other relation to the public than that of grand-jurors and local tax-collectors, and have proposed more than once to forfeit our estates, to put us on retiring-pensions like the Nabobs of Arcot and Moorshedabad, and to undertake themselves to feed the people and improve the country, through the Board of Works. And, barring the retiring-pensions, that was what they attempted to do. They despised our remonstrances, did not try to understand our reasonings, and proceeded to ruin Ireland in the conscientious belief that they were saving her.'

'What is your theory,' I asked, 'as to the purpose for which Providence created landlords?'

'I believe,' answered Lord Monteagle, 'that, in a case like the present, we are entrusted with wealth and

intelligence exceeding those of our tenants, in order that we may assist them in their difficulties, provide for them the means of education, encourage and direct their efforts as cultivators, and promote their physical, moral, and intellectual improvement.'

'All these,' I said, 'are important duties, but they are not necessarily the duties of a landlord; they may be performed by the magistrate or the clergyman; or they may be left unperformed, and society would still go on.

'Four years ago I spent a couple of months near Island Magee, on the Antrim coast. It contains about 3,000 persons, occupying about 7,000 acres of land immediately under the receiver of the Court of Chancery, put in by an incumbrancer, who derives title from a middleman, who holds under Lord Donegal, so that they are four removes distant from their landlord. There is not a resident gentleman, or even a resident clergyman, within some miles of them; and yet a more prosperous or a more moral community I never saw. All their little farms were models of neatness. Of the 3,000 inhabitants, only 11 received relief. During two months it was my favourite ride, and I never saw a beggar or an idler. I was assured that no Island Magee-man had ever been convicted of an offence.

'But the duty which I hold to be the specific duty of a landlord—the duty which cannot be neglected without ruin, and cannot be performed by anyone else—had been diligently fulfilled, and to its fulfilment I attribute the welfare of Island Magee.

'That duty—the duty for the performance of which I believe that Providence created landlords—is *the keeping down population.* If there were no one whose interest it was to limit the number of the occupants of land, it would be tenanted by all whom it could maintain, just as a warren is tenanted by all the rabbits that it can feed. Competition would force them to use the food that was most abundant—every failure of a crop would produce a famine; they would have no surplus produce, and therefore no division of labour; no manufactures, except the coarse clothing and furniture which each family must produce for itself; no separation of ranks, no literature—in short, no civilisation. This is a mere picture of a neglected estate held in rundale in Ireland. This is the state into which every common in England would fall, if the Lord of the Manor were to allow it to be occupied by squatters. To prevent all this, Providence created landlords—a class of persons whose interest it is that the land should produce as large as possible an amount of surplus produce, and for that purpose should be occupied by only the number of persons necessary to enable it to produce the largest possible amount beyond their own subsistence.

'When the enthusiasts of the Communist school say that the landlords are to be held responsible for the adoption of the measures required to make the land support its population; and that if they will not exert themselves to make the changes and improvements in the cultivation of their estates which are necessary to enable them to

support the poor, they must submit to a gradual process of confiscation—they assume that the poor are a definite quantity, and the landlords' means an indefinite quantity. The real facts being, that the landlords' means are a definite quantity, and the poor an indefinite one; and that if landlords were to attempt to perform what is called their duty—were to attempt so to manage their estates as to provide for all who chose to occupy them, or to procreate other occupiers of them—in short, if they thought it their duty to promote population instead of repressing it, all Ireland would soon become one Skibbereen.'

*Monday, Sept.* 6.—I walked with Lord Monteagle over a great part of the estate, and saw many specimens of farming as good, crops as clean, and stock as fine, as in the best parts of England; and some farms (but fewer) in which the principal crops were thistles and ragweed and rushes.

'The clue to the difference,' said Lord Monteagle, 'is the difference of tenure; the good farms are in the hands of tenants at will; the worst of the bad ones are held at feefarm rents, or on long leases at low rents.'

And he gave me the paper 'A,' on next side, in which parts of his estate are considered with respect to the area, the population, the valuation, the pauperism, and the tenure.

A

| Townlands | Area | Population (1851) | Valuation (Griffith) | No. of Paupers (1851) | |
|---|---|---|---|---|---|
| | acres | | £ s. d. | | |
| Ballinree . . | 41 | 10 | 25 0 0 | 0 | Tenancy at will |
| Ballinwreggy . | 229 | 21 | 136 0 0 | 1 | „ |
| „ North | 51 | 25 | 32 5 0 | 0 | „ |
| „ South | 31 | 9 | 18 0 0 | 0 | „ |
| Corgrigg . . | 357 | 154 | 463 0 0 | 7 | Lease for 31 years for principal farm |
| Durnish . . | 181 | 8 | 189 0 0 | 0 | At will |
| Leahys . . | 470 | 58 | 284 0 0 | 0 | On hand and at will |
| Ballycormick . | 446 | 548 | 492 7 0 | 59 | Feefarm grant 2*l.* rent |
| Briscegh . . | 462 | 101 | 222 0 0 | 4 | At will |
| Mount Darel . | 327 | 119 | 140 12 0 | 10 | Lease for three lives |
| Lower Shemal . | 552 | 115 | 459 14 0 | 0 | At will |
| Upper Shemal . | 158 | 26 | 177 0 0 | 0 | „ |
| Moig . . | 305 | 59 | 312 14 0 | 0 | „ |
| Ballyhitall . | 605 | 113 | 276 0 0 | . . | Considerable pauperism. Two long leases at low rents |
| Mount Trenchard | 525 | 124 | 385 3 0 | 0 | In hand |
| Doon Ardeen . | 125 | 207 | 59 13 0 | 33 | Let about 1800 for three lives, at 10*l.* rent. A rabbit-warren of pauperism |
| | 4,865 | 1,697 | 3,672 8 0 | 114 | |

From this table the connection between pauperism, long leases, and middlemen is apparent. Compare Doon Ardeen with Lower Shemal:—

| | Area | Population (1851) | Valuation | No. of Paupers (1851) |
|---|---|---|---|---|
| Doon Ardeen . . | 125 | 207 | 59 13 0 | 33 |
| Lower Shemal . . | 552 | 115 | 459 14 0 | 0 |

It will be seen that within an area of 4,865 acres, and from a population of 1,697 persons, there are 114 paupers; that of these, 109 come from four townlands containing

a population of 1,028 persons, being about one pauper to every 9 inhabitants; and that the remaining 5 come from a population of 556 persons, being one pauper to every 111 inhabitants.

It further appears that in the pauperised districts, the proportion of land to the population is less than two acres to each individual; in the unpauperised ones, more than four acres to each individual. And, lastly, that population and pauperism increase just in proportion as the tenure recedes from a tenancy-at-will, being greatest in Ballycormick,* which is held at a feefarm rent, and next greatest in Doon Ardeen, where the tenure is for three lives.

'And yet,' said Lord Monteagle, 'we are told that the way to improve our estates is to grant leases. A hundred years hence it may be so; but at present, at least in the South, the Irish tenant is not to be trusted with a lease.* His instinct is, while he is alive, to sublet the land, in order to have an income without trouble; and on his death to divide it among his children. And there are few districts, and in those districts few properties, in which the landlord can safely attempt to evict on breach of the covenant against subletting or assigning, or in which a jury of tenants will allow him to succeed in that attempt.

'There is, however, a more dangerous tenant than a lessee, and that is a squatter. A squatter, having no

* In a note to this conversation, by Mr. Stephen Spring Rice, he says: 'I always give leases. It is easier to guard against this practice where there is a lease than where there is not.'—Ed.

rights, has no responsibilities. He ekes out a subsistence by petty thefts, and by taking in lodgers; his hovel is a little centre of vice and bad example. And, just because he has no title, he is exceedingly difficult as a subject of eviction. We have not the right, which you have in England, of removing him by a magistrate's order. We must bring an ejectment, which often costs eighteen months' of time, and an expense, the whole of which of course falls on the landlord; and the least flaw in the proceeding forces you to begin again. After a year's siege I ejected a squatter from the hovel, of which you see the roofless mud walls; he got back in the night through a window, and I had to begin afresh. A recent Act requires you to give notice to the relieving-officer of the names of all the inhabitants of the house of which you are driven to recover possession for nonpayment of rent. If you omit a notice to a single lodger in an outhouse, of whose existence you were not aware, who perhaps was placed there for that purpose, the ejectment is void. That Act, like much English legislation for Ireland, has increased the evictions which it was intended to diminish. A landlord feels less scruple in ejecting a family, as the notice seems to throw on the relieving-officer the duty of providing for them.'

Tenant-right on the Ulster principle is unknown in this country; and Lord Monteagle would regret to see it introduced. It is true that it tends to secure the rent; but it deprives the incoming tenant of the capital with which his farm ought to be stocked, and it seriously

diminishes the landlord's influence in the improvement of the estate. A man who has paid for his tenancy half the value of the fee-simple considers himself a part-owner, and resents interference.

On the whole, that part of the estate which is in hand, or held at will, appeared to me to be in excellent order. But that excellence has been purchased at a price which no one, not possessed (in the present time of distress) of other revenue than his land, could pay. For the last six years Lord Monteagle has received a very small portion of the rents of his Irish property; the principal portion of them having been either paid away in poor-rates and local charges, or expended in improvements, or forgiven to the tenants as irrecoverable arrears.

We passed some land which Lord Monteagle described as among the best on the estate. I said that it appeared to want draining.

'That is true,' said Lord Monteagle; 'money so employed would probably afford a profit of 10 per cent. But my means are of course limited.'

'Could it not be done,' I said, 'by a tenant?'

'Not by an Irish tenant,' he answered, 'for he would not have sufficient capital. Caird, the great Scotch agriculturist, went over this estate with me. He was struck by the capabilities of the land of which we are speaking, and advised me to advertise for a tenant in the Scotch papers. I did so, unsuccessfully. The severity of the existing Poor-law, and—what is more alarming, because it cannot be accurately estimated—the capricious legislation to which Irish

property is subject, deter agricultural capitalists from making investments in Ireland. Acts of Parliament for Ireland, are among the more approved weapons in English political warfare. If either the Whigs or the Tories think that they can gain a party triumph by another Poor Law Extension Bill, or by a Tenant-right Bill, we risk having another, without the least reference to its effects on the prosperity, or the morals, or the security of this country.'

'Power tells me,' I said, 'that the burden of the poor-rate has much diminished; that it has been reduced since last year by one-third, and now does not much exceed in poundage the English rate.'

'You must recollect,' he answered, 'that the English and Irish systems of rating differ. In England you rate the net income after payment of poor-rate. This, legally, we ought to do in Ireland; but we do not. We rate according to the supposed value, independent of poor-rate. In the second place, the general average does not indicate the local pressure. There are not above two unions in Ulster, in any electoral division of which the poor-rate amounts to four shillings in the pound. There are probably not ten in Munster, nor ten in Connaught, in which it does not exceed four shillings in the pound. You see from hence, on the other side of the Shannon, some fine woods, sweeping down to the water. They are in the union of P. In one of its electoral divisions, Q, the expenditure on the poor is 50 per cent. more than the whole annual value of the land; the annual value of the land being 408*l.*, and the expenditure on the poor 602*l.*

'Another circumstance which aggravates the burden is, that the liability for poor-rate is a personal charge. A man may be arrested in London for the poor-rate on his Irish estates—perhaps for the portion of it which ought to have been paid by his tenants, who have sold off their crops and sailed to America, leaving unpaid not only the poor-rate, but also the rent out of which the landlord might have paid it. The Courts, however, have decided that land left uncultivated is not assessable. The consequence is that large tracts are left waste, and, unless some change is made in the law, they will remain waste for ever. Then follows increase of rate on the cultivated portions of the electoral division of the union, and of course a danger that the abandonment, once begun, will go on in an accelerated ratio.

'It is not, however,' continued Lord Monteagle, 'so much the material as the moral effects of the Poor Law that I deplore. Here is a list of the persons summoned before our petty sessions next week. You see that three-fourths of the cases are men charged with deserting their wives and children *—a crime absolutely unheard of before the Poor Law. It is probable that we shall not see one of these men again. The best of them are gone to America, and may send over for their families; those who have gone to England will stay there, and leave us permanently *in loco mariti* and *in loco parentis*. The honesty of the people is as much impaired as their natural affections. Notwithstanding the reduction of our numbers, we have an amount

* This offence, I am told, has now become very rare.—Ed.

of theft previously unknown. Before the Poor Law my hall-door was always unlocked. I am now forced to close it as jealously as in London.* The poor have been taught that they have an indefinite claim on the property of the rich, and they think it no great sin to enforce that claim irregularly.'

*Tuesday, Sept.* 7.—Lady Monteagle has a levée every morning, consisting, to a great extent, of intending emigrants. To-day she was giving advice to a stout healthy-looking girl, who is to sail in a few days to Australia; begging her to do credit to her country and to her religion, and not to allow it to be said that there is a better emigrant than an Irish Catholic. She has sent from this neighbourhood many hundreds, and hopes to send many hundreds more. Lord Monteagle showed me two letters which a man, who left Mount Trenchard for Sydney a few years ago, has just sent to his brother, with an enclosure of *5l.* They are so characteristic that I copy them:—

'Wollongong: February 2, 1852.

'DEAR BROTHER,—I received your letter on January 30, which grieves me to hear of your distressed situation of life. Dear brother, I am here in a far country without grandfather or grandmother, niece or nephew, to do a hand's turn for you, but every man doing the best for himself; it is not like home, when a man could get a man or a neighbour to make a stack for you, through men's labour being so dear. Dear brother, I mean to let you know how I

* This precaution is said to be no longer necessary.—ED.

am situated in this country. I have sixty acres of clear land, at a moderate rent, farming and dairying at the same time. I had 300 bushels of wheat last year. Those late times since the gold-mines were opened, wheat was ten shillings per bushel last season; I sold mine for six in the commencement of the season, in order to imbrace a thrasher before he would go to mines. But, dear brother, if you were with me, we could spare the most part of that cost, and turn it to our own use. I have a large wheat-rick this season, over 200 bushels, and over 100 bushels of Indian-corn, but I have none ready for market yet. St. Stephen's Day I finished reaping it. The harvest commences here on the 1st of December.

'Dear brother, when you receive this letter begin to prepare yourself. As soon as I go to market with the wheat I will send you another letter, and some money; and do not buy any clothes of any description, only what you cannot help, nor boots; I have as much clothes waiting for you as would do you these ten years. Dear brother, you mentioned in your letter I would make you comfortable; the comfort I can afford you is bread, butter and tea, honey, beef, pork and cabbage, potatoes and milk; a horse and cart to ride to Mass, or a horse bridle and saddle, which you please. If you come to me yourself and your son, we shall never see a poor day again; by a little industry your son would get six shillings a week this day minding cows. I have four sons (John, Pat, Mic, and Dan), and a little girl named Lizey; and the two eldest milks cows in the morning, and they all go to

school then. Dear brother, in conclusion, my wife and children and myself send you and your boy our best love, hoping that God will and may turn His angry face from you; and God grant that we may embrace one another once more, when you and I shall never part, until death! Give my best love and respects to all my old neighbours that were the means of bringing me to this country. I shall let you know in my next letter how to act as soon as you start to Sydney.'

'Wollongong: March 13, 1852.

'DEAR BROTHER,—I sent you a letter, dated February 2, stating that when I would go to market with my wheat, I would send some money, which I did not forget to do, according to promise; and in perusing this letter you will find the particulars. Dear brother, do not mind bringing any clothes with you to this country but what you cannot help—I will have as much clothes before you as will do you for ten years; and also do not think to come without your boy, for if you do you never will spend a comfortable day, but thinking of him; besides, he will be the means of making you happy hereafter. Dear brother, this country is far preferable to America. The coldest day that I ever knew in this country I could work in my shirt, and then be burning with heat. They are coming from all parts of America to this country to the gold-digging, which is 100 miles off Wollongong; I could go there in two days, easy, by the coach. Dear brother, if you cannot obtain a passage easy, from any of the agents at home, I would advise you to write to his Honor Mr. Walcott, the head

agent in London, hoping that his Honor would be so kind as to grant you a passage to New South Wales, to the only one brother the Lord left you alive; hoping that with His help, and the help of God, we spend the remaining part of our days together, to condole our hardships since our departure.

'Dear and beloved brother, I send you five pounds bill of exchange enclosed in this letter, which the manager of the bank told me you would get cashed in any bank in Limerick.

'Dear brother, I hope your face will be the first token of you I will see. If you do not exert yourself in coming to this country—a country like the Holy Land, flowing with milk and honey—you never need not write to me again. And do not spare trouble to me, if you and me could spend the latter end of our days in comfort, where you shall not want for nothing but a good appetite. Is no more at present from me, your brother, D. DOWNEY.'

It seems that the 5*l.* will be more than enough, as the brother is likely to be sent out by the Emigration Commissioners.

We walked to two remarkable raths, about four miles from the house. Raths abound in this country. They generally consist of a low circular mound, about a couple of feet high, and forty or fifty feet in diameter, and could have been used only for civil or religious purposes. Those which we visited to-day have a military appearance. Each crowns a small conical eminence. The smaller one has a

double mound and ditch, the inner mound about twenty feet high. The larger rath has three concentric mounds and ditches, and the central mound cannot be less than forty feet high. On its summit a mediæval fortress has been erected, consisting of a circular wall of great thickness, surrounding a large solitary round tower. About half the wall, and two-thirds of the tower, remain standing. The portions which have fallen lie in vast masses of masonry in the interior ditch. They appear to have been blown up.

We talked of the disposition of the priests.

'They are now,' said Lord Monteagle, 'almost mad. The Ecclesiastical Titles Act has roused passions which will not be calmed in our time.'

'What harm,' I said, 'has that Act done to them? It has not been enforced; everyone knew, when it was passed, that it was not *intended* to be enforced. Its only effect has been to make the Roman Catholic bishops assume their territorial titles more ostentatiously than they did before.'

'That is true,' said Lord Monteagle. 'The Act has enabled the Roman Catholic Church to trample on the Imperial Parliament and on the Imperial power—to drag the Queen, Lords, and Commons through the dirt as ignominiously as the most furious Repealer could desire. But, though inoperative as an enactment, it has stung sharply as an insult. Nor is it safe to say that it will always be inoperative. It declares illegal and void all acts done in obedience to a Papal bull. Among those

acts is the consecration of a bishop. When the bishop-elect is brought forward, the consecrating bishop asks, "*Habetis literas Apostolicas?*" The answer is, "*Habemus*;" the bishop replies, "*Legantur.*" The Pope's letter approving the bishop-elect is then read, and the consecration proceeds. Now, by the Act, this consecration is void; consequently, all ordinations by that bishop are void. Many lawyers are of opinion that a Roman Catholic marriage celebrated in Ireland without the concurrence of a priest is void. If that opinion be correct, of course all marriages celebrated by a person ordained by a bishop consecrated after the passing of the Act, will be void. I trust that this opinion is mistaken, but the mere existence of a doubt as to the validity of a whole class of marriages is a serious evil.

'The heavy penalties imposed by the Act may be sued for by a common informer. It is true that the consent of the law-officers is required; but does that mean more than that they are to see that the evidence is sufficient? When a clear case of deliberate violation of the law is submitted to them, and the informer requires their sanction to his suing for the penalties, have they a right to say, "We think it inexpedient that the Act should be put in force, therefore you shall not proceed"? And is it no injury to subject to ruinous penalties those who, in obeying a Papal command, think that they perform a religious duty? The Ecclesiastical Titles Bill, as brought in, was an act of mere folly; it merely repeated a prohibition which three-and-twenty years' experience had shown to be

nugatory. The Bill, as amended by the Tories, is an act of persecution; it is a return to the penal laws. A friend of yours and mine said, that those who passed it were like those who navigated the "Great Britain;" they forgot the existence of Ireland, and ran into a worse bay than Dundrum.

'And for all this we are indebted to the Eglinton proviso,* and to the manner in which that proviso was dealt with by Lord Palmerston. Instead of rejecting the Bill, after that proviso had turned it from an act of conciliation into one of insult, he said that he considered the proviso an improvement; that it was a step towards a most desirable object, an object which he trusted to see attained —the secularisation of the Papal administration.

'This Pio Nono never will forget, and never will forgive. His whole subsequent system of ecclesiastical policy in this country, including his establishment of a new hierarchy, may be traced to this origin.

'If, however, we had not come to his assistance, by that fatal Ecclesiastical Titles Act, his aggressions would have turned against himself. The Papal influence in Ireland was never lower than on the day before Lord John Russell published his letter to the Bishop of Durham. Pio Nono had offended all the friends of liberty by the reactionary policy of his restoration; all the friends of knowledge by his repudiation of secular instruction; and many of those who cared for neither civil liberty nor knowledge, by his usurpation of the episcopal patronage.

* That the Pope's envoy should not be an ecclesiastic.—Ed.

'According to the canon law of Ireland, the nomination of bishops is in the Crown. Now that the crown is worn by a heretic, the bishops exercise it *ad interim*; but they profess to retain it as a deposit, to be returned to the Crown as soon as the Protestant schism has been closed. When they presented to the Pope their three candidates as *dignus*, *dignior*, and *dignissimus*, they relied on the selection of the *dignissimus*; and it was with indignation that they saw Cullen, an Italian-bred priest, unacquainted with Ireland, promoted to the primacy. The priests, too, had been tamed by the famine and the emigration. Their incomes were diminishing, and they began to speculate again on the possibility of a Regium Donum. If we had received Wiseman's nomination and the creation of English bishoprics with common-sense and dignity, had merely reminded the English people that the Pope had no legal power, and had admitted the impossibility of restraining his spiritual power, public opinion, even in Ireland, would have been on the side of the Government. Instead of that we chose to bark, though we could not bite, and to exhibit ourselves, to the scorn of all Europe, in the contortions of impotent rage.

'Nor is it only with respect to Ireland,' continued Lord Monteagle, 'that the Act makes me tremble. I dread, perhaps still more, its effect on the state of parties in England. Everything which increases the strength of the third party, of the party which coalesces sometimes with the Whigs and sometimes with the Tories, tends to render every Administration unstable.

'The Ecclesiastical Titles Bill has thrown into this third party the bulk of the Irish representation. And it has given to us the worst and most violent set of Members that I ever recollect. Every Irishman must feel degraded at being so represented, but to *me*, who recollect Plunket and Grattan and Newport—who remember an Irish party with whom every friend of liberty was proud to act—it is doubly painful.

'Setting aside the mischief which necessarily attaches to the existence of a third party, the English Radicals are dangerous only from their theories—from their ultra-democracy, and their ultra-parsimony. They are anxious for the public good, though they are too narrowminded to embrace all the means of effecting it. They are mischievous only from their *want* of intelligence. The Irish Radicals are mischievous in *proportion* to their intelligence. They are anxious for public harm. They wish to make the Imperial Government work ill. They are now resolved that Lord Derby shall be unable to govern; as soon as he is upset, they will turn their hostility against his successor. If the Whigs are mad enough and wicked enough to assist them now, and the Tories are mad enough and wicked enough to assist them on the next occasion, how is the country to be governed? And who is there to govern it? Who are the younger men who are to succeed to our veterans?'

'I trust,' I said, 'that the Whigs will not aid the Radicals where they are wrong; but are they to refuse their co-operation where they are right? If Lord Derby

proposes a separate grant for Protestant education in Ireland, are they to say,

'"Non tali auxilio, non defensoribus istis,"

will we fight? and are they to suffer him to destroy the system of Mixed Education?'

'The event which you suppose,' answered Lord Monteagle, 'will not occur. Stanley will not propose a grant for Protestant education, because that implies a grant for Roman Catholic education, and the Maynooth debate must have convinced him that such a grant he cannot obtain. Nor do I think that he will attempt anything else very monstrous. If he does, of course he must be resisted at all hazards. But what I deprecate is, a coalition between Whigs and Radicals on the old French plan, —not for the purpose of defence, but of attack. Such a coalition would bring on a series of Parliamentary revolutions, of which no one can predict the course or the termination.'

'You have mentioned,' I said, 'the want of rising young men in the House of Commons. To what do you attribute it? Is it because the House is filled with provincial celebrities—with men who have gradually worked their way to be the oracles of a borough, or of a division of a county? Is it to be attributed to the instability of Administrations, which renders office uncertain, and to the retrenchments, which render it unprofitable, and therefore render politics an unattractive profession; or to the increased labour of Parliamentary life, which forces young Members to waste on details, and on private business, the

time and the attention which they ought to devote to matters of real statesmanship?'

'All these circumstances,' answered Lord Monteagle, 'may have something to do with it, but the principal cause I take to be the conduct of the great Parliamentary leaders on each side. When I first recollect the House of Commons, more than a quarter of a century ago, the chiefs were anxious to bring forward the younger members. Canning had always about him a set of young friends, whose studies he directed, whose ambition he excited, to whom he assigned their share in the debate, and whom he protected with the most chivalrous self-devotion when they advanced too far, or too incautiously, in the fight. He made them pay for it, indeed, afterwards in private; for he was merciless (at least as merciless as a good-natured man could be) in exposing them to themselves, in ridiculing their imperfections, and dissecting their blunders; but in public he held before them a shield as broad and as thick as that of Ajax. Now all this is over. The leaders appear to desire no brother near the throne. They look coldly on their supporters on the back-seats, do not encourage them in success, do not rescue them in failure, and seem to wish to confine the debate to the Treasury bench and the Opposition bench.'

Two boys of sixteen and fourteen, sons of a small tenant, accompanied us. The elder was to be a farmer. Lord Monteagle asked him how flax could be prevented from being an exhausting crop.

'By returning,' said the boy, 'the woody part to the ground.'

'And on what principle?' asked Lord Monteagle.

'Because,' said the boy, 'the woody part of the flax is nourished by the earth, and the silky part by the air; so that, by returning to the earth all that it has given, you restore its powers.'

The younger lad was to be a priest. He was reading 'Virgil,' and said that he liked it very much. They were good specimens of the education obtained by the children of a man whose income cannot be above 70*l.* or 80*l.* a year.

*Wednesday, Sept.* 8.—Lady Monteagle and Mrs. Senior visited the National School. They were struck by the acuteness of the answers of a boy of about nine years old. His clothes—or the things that passed for his clothes—were, with the exception of his shirt, so eminently ragged, that Lady Monteagle told him to ask his mother to sew up a few of the rents.

'He has no mother,' said the schoolmaster. 'Eight or nine months ago he appeared in the village; he could not tell who he was, where he came from, or who were his parents. He was taken in, and lodged and fed, as a vagrant always is in an Irish village, and found his way to the school. The children were pleased with him, and subscribed a halfpenny apiece, with which I bought him a couple of shirts. These are his principal clothing. He is passed from house to house, is well received everywhere, and will probably be thus maintained until he can earn his own subsistence.'

Mrs. Senior gave the master five shillings, which he

said would buy him a suit of clothes—that is to say, a jacket and trousers; shirts he has; shoes, stockings, or hat would be superfluities.

I walked over the model farm, containing about thirty acres. It is to be managed, one-half on the four-course, and the other on the five-course system. The cattle are all to be stall-fed, and as it lies in a ring-fence, all internal fences are levelled. Mr. Thornbery, Lord Monteagle's sub-agent, a Yorkshire agriculturist, was with me. As he admitted that, thus managed, the model farm would probably do well, and pay its expenses and rent, I asked why the same principle might not be applied to farms of two or three hundred acres? He said that the expense of buildings for housing so large a number of cattle as a farm of 300 acres requires, would be intolerable. I asked him why it need be greater in proportion than that of the buildings necessary to house the cattle on 30 acres? and did not get any satisfactory reply. In Belgium all the cattle are housed. I remember seeing, at Baron Larpent's, three cows in a stable in which they were born, from which they never had gone, and where they would probably die. They seemed in excellent health, and gave more milk, and much more manure, than are given by cows in a field.

Thornbery does not join in the common opinion that Irish labour is necessarily dear. 'The men,' he said, 'being seldom well-treated, do not treat their masters well. They are apt to shirk work, and require vigilant looking after; but if watched and pressed, and sufficiently paid to

be sufficiently fed, they will do quite as much work as an English labourer.'

In Ireland, attention is seldom paid to the comfort of the walking public; there are no footpaths, no gates, and very few stiles. The fields are generally surrounded by a stone wall, or a mud bank, in which a gap is made when a plough or a cart is to enter them, and closed as soon as the exigency is over. On our return to-day, we deviated from the highroad, and consequently had at least twenty fences to climb or break through. To this, however, no objection is made. The farmer sees you crossing his fences, but he does not remonstrate. The law seems to be, that everyone may build a wall wherever he likes, without enquiring what means of communication he interrupts, and that everyone else may break a gap in it.

*Thursday, Sept.* 9.—We left Mount Trenchard in a car at one, reached Tarbert at three, took the packet to Kilrush, thence were transferred to the Moore's Hotel omnibus, and reached Kilkee at a quarter-past six.

Kilkee Bay is one of the few openings in the iron-bound coast which extends from the Shannon to the Bay of Galway. The undulating hills, varying in height from 500 feet, which form that coast, consist principally of black clay-slate mixed with quartz; the action of the Atlantic on the clay-slate keeps washing it away, and, as it is very friable, it disappears. The consequence is, that the land terminates in a succession of headlands and narrow bays, ending precipitously in deep water, without

the accumulation of smaller rocks, which generally lie at the feet of harder precipices. The quartz strata, sometimes elevated, sometimes depressed, form in many places natural arches. The waves wash away the clay-slate below, and excavate deep caverns when they beat against a flat curtain of coast, and natural bridges when they attack the sides of a peninsula. In time the bridge falls, and what was the promontory of the peninsula becomes an island. There is a remarkable one near Kilkee, called Bishop's Island. The promontory of which it once formed part is about 200 feet high. At about 200 yards from its termination stands the square black precipitous island, about a couple of acres in extent, lashed on all sides by a deep tempestuous sea, like an outwork of a besieged town, which has lost its communication with the main fortress, but is still unsubdued. The whole coast is bare, beyond any country that I ever saw. Taking Kilkee as a centre, there is not within ten miles, on any side, a single tree, or even a single bush. Nor is there any cultivation on the hills or table-land of the coast. They form a succession of downs of the brightest green, as far as the eye can reach.

The result of all these elements is some of the finest coast scenery that I ever enjoyed. The cliffs are indeed lower than those of the Giants' Causeway, or of the west coast of Donegal, and they want the peculiar grandeur of a basaltic formation; but they form a longer uninterrupted range, and they are assailed by a deeper sea. In both cases, the colour of the rocks being black, so is that

of the sea, except that the wave as it curls, just before it breaks, is of a bright bluish-green.

*Friday, Sept.* 10.—We spent the whole day on the downs. The wind was north, bracing, and rather cool than cold. In such an air, and on such turf, and with such objects, one could walk for ever. Though the elements of the scenery are few, and the colours only three (black, white, and green), the variety is inexhaustible. Every promontory and bay has a physiognomy of its own. Sometimes the precipice is perpendicular, more frequently it hangs over. Sometimes its base is undermined—sometimes (and this is a frequent formation), it ends in a long slanting shelf, up which the wave sweeps for fifty or a hundred feet. In many places there is a fringe of rocky islands; in others you see projecting headlands, so slightly connected with the mainland, that in a few winters they will become islands.

About half a mile from the village is a foreland called the Lookout. It runs out about 500 yards, and the table-land on its summit is about 250 feet high. On its right is a deep narrow bay, the sides of which gradually rise to a height of about 150 feet, and where they face the sea, hang over a reef about 100 feet below them, and rising about 50 feet above highwater, called the Diamond Rocks.

It is impossible to look down on this bay without thinking what a dreadful place it would be for a shipwreck.

The cliffs, black and jagged, rise either straight from

the water, or hang over it. No human foot, indeed no goat's foot, could climb them. Even to-day, with little wind, and that from the land, a violent sea broke on them. In stormy weather the spray washes over the top of the Lookout.

This bay is called Intrinsic Bay, from the following event:—

On a stormy morning (January 30, 1836), the Coast-guard, when they ascended the Lookout, saw below them a large ship, dismasted, riding at two anchors in the bay. Every receding wave threw her from the cliffs —every advancing wave threw her towards them. Her hatches were open, and the waves, as they broke over her, ran down into the hold. On her stern they could read the words, 'Intrinsic of Liverpool.' A man, whom they supposed to be the captain, tried to address them through a trumpet, but in the noise of the waves and wind nothing else could be heard. A lady came up from the cabin, looked round at the rocks and breakers, knelt, apparently in prayer, and went down again. Soon after, a sea swept two men from the deck; the rest, to escape the same fate, went below. Not one of them was ever seen again. An enormous wave lifted the ship so high, that the spectators —who by this time had crowded from the village to the Diamond Rocks—thought that she would be thrown up amongst them; and so perhaps she might have been, if her cables had parted. The next wave broke over, and appears to have filled her; as it receded, she disappeared. A few minutes after, her hull rose again, was caught by

the waves, rolled over and over, broken into a thousand fragments, and carried out to sea. A gull hovering over the water, pounced on something floating, flew inland, and dropped it among the spectators. It was a lady's glove, the only remnant of the 'Intrinsic.' The Liverpool underwriters were communicated with, and it was ascertained that the 'Intrinsic' had left Liverpool a fortnight before, bound to New Orleans, with a cargo of railway materials. She had gone round the North of Ireland, must have been driven towards the south-western coast by a succession of storms, and anchored in the night, when she found that she was on the point of being thrown among the breakers. A large portion of her cargo was recovered by diving. It was found where she went down. It is probable that, when she first touched the ground, the iron rails broke through her bottom and fell out, which accounts for her rising again, to be finally broken to pieces.

About a year ago, an equally calamitous shipwreck occurred in Kilkee Bay itself. An emigrant ship from Limerick, after having left the Shannon, was driven northward in a stormy night, entered (without knowing where she was) the narrow channel which leads into the bay, and then, seeing breakers on each side of her, anchored. Had she not let go her anchor, she would have been driven ashore on soft sand, and the passengers, and probably the ship, saved. As it was, she anchored too near the sharp reef which lines the western coast of the bay; the waves swung her round on the rocks, and beat

her to pieces in a few minutes. One hundred and twenty of her passengers were lost. Fragments of her timber are still to be seen in a little creek near the beach. On board of her were some natives of Kilkee, but in the darkness and the storm they did not recognise their own bay.

*Saturday, Sept.* 11.—Mrs. Senior and I drove to Ross, about sixteen miles to the south of Kilkee, near the Loup Head, to see some natural bridges and puffing-holes. A puffing-hole is a natural shaft or well, opening from above into a cavern, into which the sea beats. In certain conditions of tide and weather, the advancing wave suddenly fills the cavern, and the compressed air forces up the water through the shaft in a white jet, resembling the Carlsbad Sprudel, with a report like that of thunder. There are some fine ones near Horn Head, in Donegal, called McSweeney's Guns, the sound of which, in storms, has been heard twenty miles off. Our road for the first five miles ran along the edge of the cliff, accompanying all its indentations, and giving us splendid views of rocky forelands and deep bays, from Loup Head up to Liscannor. It is a relief-work—the first well-executed one that I have seen. We then passed a deserted village, consisting of the gable-ends of roofless mud cottages, which, according to the car-boy, had been occupied by squatters. As soon as the landlord was required to pay poor-rate for them, he evicted the occupiers, and took the usual (indeed the necessary) precaution of rendering the cabins uninhabitable. Not a bush or even a hedge was to be seen during

the whole drive, and much of the land appeared to be uncultivated.

The tenant of the farm in which the bridges and the puffing-holes lie—a wild savage-looking man, speaking a hoarse guttural English—was our guide. He told us that he occupied about twenty acres, and paid 9*l.* a year rent, and 4*l.* 4*s.* poor-rate. As the landlord pays half the poor-rates, this makes them equal to the rent, or, according to the Irish mode of rating, nearly twenty shillings in the pound.

One of the bridges is remarkable from its exact resemblance to an artificial bridge. The puffing-holes would not puff for us; the wind was off the land, and the sea too calm.

*Sunday, Sept.* 12.—I ought not to quit Kilkee without praising its sea-water baths. They profess to be medicated by a strong decoction of seaweeds, of which I know nothing, for the stewing process takes place in the boiler; but their peculiar merit is, that every warm bath has erected over its foot a deep and lofty shower-bath, with large holes. I am suffering under a slight attack of bronchitis, and (in imitation of the Malvern practice), I have taken every day a hot bath at 99°, followed instantly by a cold shower-bath. Nothing can be more agreeable, and I think that it is cutting short the attack. The Puritanical Sabbatarianism, which prevents bathing on Sunday in English watering-places, is unknown here. Up to half-past ten o'clock, the beach and rocks were crowded with bathers.

*Monday, Sept.* 13.—We took the omnibus to Kilrush, and the steamer from thence to Tarbert, where we were forced to sleep, there being no means of getting on to Killarney the same day. The inn, however, though simple and unpretending, is excellent. The town is poor, but beautifully situated, on an eminence overlooking the Shannon, and surrounded by woods.

When Buonaparte was at Elba, a Captain Flynn, of the Royal Navy, was presented to him. He asked Flynn (as was his custom) where he was born.

'On the banks of the Shannon,' answered Flynn.

'Aye,' said Buonaparte, 'the Shannon is a grand river, one of the finest in Europe, though you make little use of it. During the Peninsular War, all the grain-ships for the supply of your army in Spain used to rendezvous and lie at a little port in the Shannon, called Tarbert. Below the anchorage you have a 14-gun fort, well-built and strong. But a little lower down on the river is a hill, which overlooks and commands it. A small force might easily land in the night and occupy that hill, and then your fort would be useless.'

I verified these facts to-day. There is the anchorage, the small fort, beautifully placed on a little green conical eminence, and the unoccupied hill behind it, within musket-shot, from which you can look down into the fort, and could pick off every man at the guns.

The young women at Tarbert have the usual beauty of the South of Ireland. I met two girls this evening, barefoot, ragged, but with the figures and walk of princesses—

at least of the princesses of fairy-tales—regular features, and bright ruddy complexions. Simple food, an open-air life, and the absence of stimulants, of hard labour, of stays, and of superfluous clothing, are great beautifiers.

*Tuesday, Sept.* 14.—We left Tarbert at eleven o'clock, and after a long journey—which, until we passed Tralee, and neared the Kerry mountains, was uninteresting—reached the Muckross Hotel (about two miles on the Kenmare side of Killarney) at six.

A large portion of the land seemed to be waste. That which professed to be cultivated was intersected by mounds, which divided it by roods rather than by acres, and was waving with magnificent crops of ragweed and thistles. Mixed with them were oats and beans, and some (but few) potatoes. The greater part have been dug up.

*Wednesday, Sept.* 15.—The Muckross Hotel is ill-situated. The woods of Mr. Herbert's beautiful place, Muckross Abbey, cut off the view of the lakes.

I walked this morning, before breakfast, about four miles on the Kenmare road. The first two miles were tantalising. I coasted the park-wall and belt of Muckross Abbey, and could only guess what fine things there might be on the other side. At length I reached the broken rising ground which separates the Upper from the Middle Lake. Here the road first gave a splendid view of the Middle and Lower Lake, and then turned south, through the wild valley which stretches towards Kenmare, separating the Mangerton mountain from Macgillicuddy's Reeks.

After breakfast we called on Mr. Herbert, and walked with him round his garden and home-scenes, and then drove round the Middle Lake—perhaps the most beautiful portion of his domain. On our return we saw the Torc Waterfall. The rocks, the woods, and the deep narrow gorge which they form, are striking, and the fall must be so in wet weather. To-day it rather trickled than fell.

We dined with Mr. Herbert. I spoke of the waste state of the greater part of the land between Tarbert and Killarney.

'It is much worse than waste,' said Mr. Herbert. 'All that man has done there is mischief. Much of the land which you saw yesterday is good land. Ragweed, indeed, does not flourish on any other. But in order to make it worth cultivating, the first thing to be done is to level the innumerable mounds with which the misdirected industry of its occupiers has intersected it; and the next is to relieve it from the exhaustion to which the alternation of oats and potatoes, and the permanence of weeds, unaccompanied by manure, have reduced it.'

We talked of the squalid appearance of Killarney, its ragged half-starved population, and ruinous houses. I said that it reminded me of Fondi or Itri, or the other desolate dilapidated towns between Gaeta and Rome. He thought that I did injustice to Fondi. Wretched as it is, it seemed to him less wretched than Killarney.

'To what,' I said, 'do you attribute the peculiar misery of Killarney?'

'I do not think,' answered Mr. Herbert, 'that it is peculiarly miserable, for an agricultural town in the South of Ireland, without trade or manufactures. The deserted houses are the results of death or emigration. The half-starved and quarter-clothed loungers about the streets are attracted thither from the neighbouring country by the hope of casual employment from visitors. What may be called the middle classes—that is, those above the labourers and cottiers—spent the greater part of their little capital during the famine, the successive potato failures have diminished what remained, and the low prices of agricultural produce prevent their recovering their losses.

'I will give you a proof of the poverty of this neighbourhood. Kerry and Clare are both bare of wood; the people at Listowel are forced to go fifteen miles off—to Tarbert, or to Tralee—to get even handles for their flails. I was able, therefore, before the famine, to sell the thinnings of my woods for rather more than 1,000*l.* a year. Now they do not pay for the cutting.'

*Thursday, Sept.* 16.—We made to-day the grand tour of the lakes. We started at ten from Muckross, drove through Killarney, and then along the north shore of the Lower Lake, until we crossed the River Laune, which empties it. We then turned south, and began to ascend the Gap of Dunloe. This is a chasm, about five miles in length, separating the purple mountain from Macgillicuddy's Reeks. It is a long ascent, the crest of the pass being about 750 feet above the River Laune. A torrent

runs down it, expanding from time to time into black tarns. The purple mountain is 2,750 feet high. Some of the peaks of the Reek exceed 3,000 feet. Their sides are steep, but not quite precipitous, and are covered, wherever there is a ledge, with the greenest herbage, and to-day were sprinkled over with sheep and goats. This relieves them from the desolate stony monotony of such passes as Llanberis, where the mountains seem falling on each side into ruin. Our guide told us that he once saw a goat which had scrambled down to one of these green ledges, and was unable to leave it; she ate up every blade of grass, became weak, and was killed by the eagles.

The descent from the summit of the Gap to the Gearhameen river, and thence to the Upper Lake, through broken ground covered with natural forest, intersected by a rapid river, and surrounded by an amphitheatre of mountains except to the south, and there commanding the Upper Lake and its woody islands, is more varied and more beautiful than the pass, though perhaps less impressive.

At the mouth of the river we entered our boat, and rowed down the Upper Lake, the long winding channel called the Long Range, round by the Eagle's Nest—a pyramidal crag rising abruptly from the water—by Dinish Island and the Middle Lake, then through Glena Bay, and thence, coasting the long Muckross peninsula, to the landing-place in Castle Lough Bay.

The Irish lakes want, of course, the Alpine shores of those of the Salz-kammergut, Switzerland, and Upper

Italy; they want the deep-blue waters of the Lake of Geneva. The limestone rocks below them, and the pale sky above, communicate to them a grey colour, which, though in keeping with all that surrounds them, is cold and monotonous; but they have inexhaustible variety of outline and character, from the wildness of the Upper Lake, to the richness and repose of the Middle Lake and of Glena Bay.

One of their peculiar beauties is the limestone shore which confines them. Other lakes are generally bounded by steep shelving banks or by reedy shallows. The Killarney Lakes are surrounded by a white limestone fringe, worn into caves and galleries, and covered with yew, arbutus, and oak, like a setting fixed by nature round one of her ornaments. Another is their variety of outline. No other lake that I have seen (except, perhaps, that of the Four Cantons), is scooped into so many bays, broken by so many headlands and long-stretching peninsulas, and so alternately contracted and expanded. Another arises from their islands, of every different size—from Ross Island, which is some miles round, down to the rocks with which the Upper Lake is dotted; all with the same white limestone shores, and the same green summits or table-lands, covered with forests where there is room and soil for them, and by tufted shrubs and evergreens where the rock is too near the surface to bear anything larger. Perhaps their greatest charm is the delicacy and luxuriance of their vegetation.

The shores and islands of the British and Swiss lakes

are cold, those of the Italian lakes are burnt up, and both are deformed by terraces, enclosures, and cultivation. Killarney enjoys the warmth of a southern climate and the humidity of a northern one. And the two great proprietors who divide the whole coast employ it only for the purposes of beauty. Not a fence, or a hedge, or an angular patch of cultivation, reminds you of labour or art. One may readily believe that the general aspect of the scenery now is what it was when Ireland was a green desert unvisited by man.

*Friday, Sept.* 17.—I took Spillane, the oldest and most celebrated of the guides, and ascended Mangerton.

Spillane was for twenty-six years a sergeant in the Kerry Militia, and served in the short campaign against Humbert, and in the Rebellion of 1798. He told me a story which shows the temper of those times. The commissariat was ill-managed. The troops were sometimes two days without regular rations, and were obliged to plunder for food. A man to whose charge a rebel had been committed, was irritated at seeing his companions foraging, while he had to keep watch over his prisoner. Spillane saw him shoot the prisoner as he sat by the camp-fire, and then go and join the foragers. When he was asked what had become of his prisoner, he answered that he was lying down quietly by the fire. No regular enquiry was made, nor was the man punished. Spillane remembered him in the regiment for many years afterwards. He saw many hundreds executed, on the sentence of a drumhead court-martial, on very slight evidence, or on

that of paid informers. A great proportion of them he believes to have been innocent.

I asked him whether the people about Killarney had advanced or gone back during his long acquaintance with them?

'Improved,' he said, 'in education and knowledge, but gone back in physical condition. The means of subsistence had not increased with the increase of population. Now, however, as the population was diminishing, the comfort of those who remained was augmenting.'

I asked him what was his religion?

"I am a Roman,' he answered. 'I do not think that there is sufficient difference between the religions to require me to quit the faith that I have been brought up in; but when there is not a chapel at hand, I join in the prayers of the Protestants, or of the Presbyterians.'

'Does the priest,' I said, 'allow that?'

'I think,' he answered, 'that at my age I have a right to an opinion of my own. There are no religious dissensions here,' he added; 'no one asks whether a man is a Roman or a Protestant. We have been at peace ever since tithes were commuted, and church-cess abolished.'

The top of Mangerton is a table-land 2,800 feet high. Towards the north it is suddenly cut down, so as to form a green precipice 500 feet deep, sinking into a black tarn, called the Devil's Punchbowl.

From the summit, and indeed from far below the summit, you see the whole of the lakes, and the green promontory of Muckross spread out like a map. Torc

mountain, which below is a giant, is passed over almost unnoticed. Towards the west is a wild peninsula of mountains, ridge beyond ridge, and peak above peak, extending to Valentia, with Dingle Bay on one side, and Kenmare Bay on the other. Farther south is Bantry Bay, forty-two miles off, scarcely distinguishable as a white streak.

On its northern face the mountain is cut by a still deeper precipice, at the bottom of which—1,700 feet below—is a glen called Glenacappul (or the Glen of the Horse), with three tarns in its desolate-looking bosom. Farther north is Lough Guitane, and the view in that direction is closed by Slievemish, and by the lofty range separating Dingle Bay from the Bay of Tralee. On the whole, the view from the top of Mangerton seemed to me to be more extensive and more varied, and to contain both more grandeur and more beauty, than that which is seen from Ben Lomond—the view which most resembles it. It is remarkably easy of ascent: going slowly, and resting, we were only seven hours out.

*Saturday, Sept.* 18, *Ten at night.*—It was raining when I got up at six o'clock this morning, and from that time there has been only one interval fine, which lasted ten minutes. I made use of it to get down to Muckross Abbey. Mrs. Herbert, who is an admirable artist, showed me a portfolio of watercolour drawings by herself, from the lakes—the only representations of them which I have ever seen that did them justice, or even resembled them. The colouring of the mountains, so rich and so deep that anyone but a

bold artist would think it exaggerated, creates, I suppose, the principal difficulty.

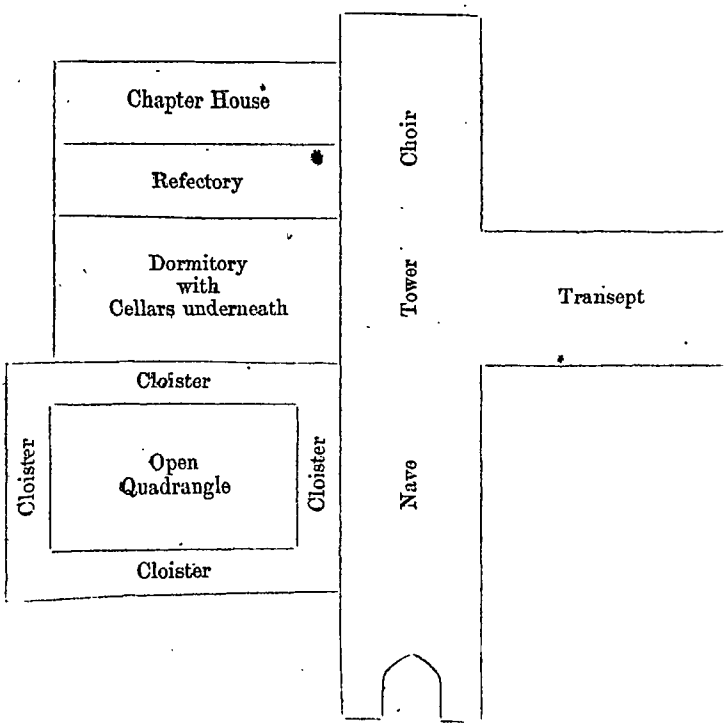
We have found some confirmations of Lord Monteagle's remark, that the honesty of the lower Irish has been impaired. At Kilkee, a chambermaid hid a gold pin of Mrs. Senior's. To-day Mrs. Senior bought some bog-wood bracelets for sixteen or seventeen shillings. Some time after the woman had been paid, she came back, and said that, on counting over her money, she found that she had received a shilling too little. Mrs. Senior, without believing her story, gave it to her. Half an hour after, she came back again, and said that, on recounting her money, she now found that she had received three-and-sixpence too little.

This day was to have been given to Lord Kenmare's grounds, Ross Island, and Innisfallen. The rain has made them inaccessible, and as we cannot spare a day from our next visit, we shall lose them. The rest of the lake-scenery we have visited conscientiously. We are not fortunate in our inn. The best situated is the Lake Hotel—the best managed is the Victoria. The people here are exceedingly civil, and the charges are low, but it has no other merits. We were lucky, however, in getting in anywhere. Nine or ten parties were turned away the day that we arrived. At the Victoria they do not wish their guests to stay more than a day.

*Sunday, Sept.* 19.—I went before breakfast over the ruins of Muckross Abbey. Mr. Herbert thinks little of them. They owe their beauty, he said, to their position,

their associations, and to the trees and creepers that half conceal them. The abbey, if built now, would be thought ugly. I so far agree with him as to believe that it was far less beautiful when perfect than it now is in decay. But even when it stood untouched, and unadorned by time—its tower not yet covered with ivy or green and yellow moss, its windows not yet entwined by creepers, the arbutus and yew not yet rising from its walls—it must have been pleasing from its proportions and its simplicity.

This is what I can recollect of its plan:—



As is the case in the monastery of Adare, the tower is in the centre. There is only one transept. The gate-keeper, who is the cicerone, told me that Pugin admired the proportions and the arrangement. The open quadrangle is filled by a gigantic yew-tree, rising from its centre, probably coeval with the cloisters. It reminded me of the great plane which fills a quadrangle in the ancient monastery of St. Severino in Naples.

After breakfast I walked to Kenmare—about twenty miles—crossing the chain of mountains (of which Macgillicuddy's Reeks are the highest points) separating Dingle Bay from Kenmare Bay. For the first twelve miles the road winds through a forest up the side of the mountain, which hangs over the Upper Lake and the Long Range. At the crest of the pass, which must be 1,000 feet high —for it looks down on the Gap of Dunloe—all the lakes are seen in perspective. A table-land of about two miles follows, with a naked lake on one side, and a desolate deep valley on the other, until, from between two high peaks, you see the great opening which receives the estuary of Kenmare. A lower ridge conceals the water, but you look over it to a range of mountains which separates it from Bantry Bay. These mountains, covering about 150 square miles, form the bulk, though not the whole, of Lord Lansdowne's Kerry estates. The mountain scenes near Killarney contain nothing that equals this road. It is superior to the Gap, and to Mangerton.

At Kenmare we were received by Mr. Trench, who, since 1850, has managed Lord Lansdowne's Kerry property and Lord Bath's estate in Monaghan.

END OF THE FIRST VOLUME.

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